



Governance and Human Resources
Town Hall, Upper Street, London, N1 2UD

AGENDA FOR THE PLANNING COMMITTEE

Members of Planning Committee are summoned to a meeting, which will be held in the Council Chamber - Town Hall on **19 January 2016 at 7.30 pm.**

John Lynch
Head of Democratic Services

Enquiries to : Zoe Crane
Tel : 020 7527 3044
E-mail : democracy@islington.gov.uk
Despatched : 11 January 2016

Welcome:

Members of the public are welcome to attend this meeting.

Consideration of Planning Applications – This is a formal agenda where decisions are taken on planning applications submitted to the Council. Public speaking rights on these items are limited to those wishing to comment on specific applications. **If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk.**

Committee Membership

Councillor Khan (Chair)
Councillor Fletcher (Vice-Chair)
Councillor Klute (Vice-Chair)
Councillor Chowdhury
Councillor Convery
Councillor Nicholls
Councillor Picknell
Councillor Poyser
Councillor Spall
Councillor Donovan


Wards

- Bunhill;
- St George's;
- St Peter's;
- Barnsbury;
- Caledonian;
- Junction;
- St Mary's;
- Hillrise;
- Hillrise;
- Clerkenwell;

Substitute Members

Councillor Diner
Councillor Kay
Councillor A Perry
Councillor Wayne
- Canonbury;
- Mildmay;
- St Peter's;
- Canonbury;

Quorum: 3 councillors



A. Formal Matters	Page
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|----|------------------------------------|--|
| 1. | Introductions | |
| 2. | Apologies for Absence | |
| 3. | Declarations of Substitute Members | |
| 4. | Declarations of Interest | |

If you have a **Disclosable Pecuniary Interest*** in an item of business:

- if it is not yet on the council's register, you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you **must** leave the room without participating in discussion of the item.

If you have a **personal** interest in an item of business **and** you intend to speak or vote on the item you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but you **may** participate in the discussion and vote on the item.

***(a)Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.

(b) Sponsorship - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

(c) Contracts - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

(d) Land - Any beneficial interest in land which is within the council's area.

(e) Licences- Any licence to occupy land in the council's area for a month or longer.

(f) Corporate tenancies - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

(g) Securities - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to **all** members present at the meeting.

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| 5. | Order of Business | |
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B. Consideration of Planning Applications	Page
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| 2. | 423-425, 429-435 [odd] Caledonian Road; 1-11 Balmoral Grove; 4-6 [even] | 69 - 176 |

Brewery Road and Grove House, 1 Market Road, London, N1

3.	Hill House, 17 Highgate Hill, London, N19 5NA	177 - 236
4.	Southern Part of the Site of Whitehall Park Primary School (Formerly Ashmount Primary School), Ashmount Road, London, N19 3BH	237 - 356
C.	Consideration of other planning matters	Page
1.	Planning Enforcement and Appeal Performance: Year End 2014/2015	357 - 376
D.	Urgent non-exempt items (if any)	

Any non-exempt items which the Chair agrees should be considered urgent by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

Date of Next Meeting: Planning Committee, 9 February 2016

Please note all committee agendas, reports and minutes are available on the council's website:

www.democracy.islington.gov.uk

PROCEDURES FOR PLANNING COMMITTEE

Planning Committee Membership

The Planning Committee consists of ten locally elected members of the council who will decide on the applications for planning permission.

Order of Agenda

The Chair of the Planning Committee has discretion to bring forward items, or vary the order of the agenda, where there is a lot of public interest.

Consideration of the Application

After hearing from council officers about the main issues of the proposal and any information additional to the written report, the Chair will invite those objectors who have registered to speak for up to three minutes on any point relevant to the application. If more than one objector is present for any application then the Chair may request that a spokesperson should speak on behalf of all the objectors. The spokesperson should be selected before the meeting begins. The applicant will then be invited to address the meeting also for three minutes. These arrangements may be varied at the Chair's discretion.

Members of the Planning Committee will then discuss and vote to decide the application. The drawings forming the application are available for inspection by members during the discussion.

Please note that the Planning Committee will not be in a position to consider any additional material (e.g. further letters, plans, diagrams etc.) presented on that evening. Should you wish to provide any such information, please send this to the case officer a minimum of 24 hours before the meeting. If you submitted an objection but now feel that revisions or clarifications have addressed your earlier concerns, please write to inform us as soon as possible.

What Are Relevant Planning Objections?

The Planning Committee is required to decide on planning applications in accordance with the policies in the Development Plan unless there are compelling other reasons. The officer's report to the Planning Committee will refer to the relevant policies and evaluate the application against these policies. Loss of light, openness or privacy, disturbance to neighbouring properties from proposed intrusive uses, over development or the impact of proposed development in terms of size, scale, design or character on other buildings in the area, are relevant grounds for objection. Loss of property value, disturbance during building works and competition with existing uses are not. Loss of view is not a relevant ground for objection, however an unacceptable increase in sense of enclosure is.

For further information on how the Planning Committee operates and how to put your views to the Planning Committee please call Zoe Crane on 020 7527 3044. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk.

London Borough of Islington

Planning Committee - 10 December 2015

Minutes of the meeting of the Planning Committee held at Council Chamber - Town Hall on 10 December 2015 at 7.30 pm.

Present: **Councillors:** Robert Khan (Chair), Kat Fletcher (Vice-Chair) (not present for Item B2), Martin Klute (Vice-Chair), Paul Convery, Alice Donovan, Tim Nicholls, David Poyser and Marian Spall

Councillor Robert Khan in the Chair

152 INTRODUCTIONS (Item A1)

Councillor Khan welcomed everyone to the meeting. Members of the Committee and officers introduced themselves and the Chair outlined the procedures for the meeting.

153 APOLOGIES FOR ABSENCE (Item A2)

Apologies were received from Councillor Chowdhury.

154 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

There were no substitute members.

155 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

156 ORDER OF BUSINESS (Item A5)

The order of business would be as per the agenda.

157 APPOINTMENT TO PLANNING SUB-COMMITTEE (Item A6)

RESOLVED:

That Councillor Picknell be appointed to serve on Planning Sub-Committee B with immediate effect until the appointment of her successor.

158 MINUTES OF PREVIOUS MEETING (Item A7)

RESOLVED:

That the minutes of the meeting held on 17 November 2015 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

159 139A AND 139B GROSVENOR AVENUE, LONDON, N5 2NH (Item B1)

Demolition of the existing 2-storey semi-detached houses in multiple occupation (HMO – use class C4) and the construction of a new 5-storey (including lower ground floor) building providing 10 residential dwellings (C3) consisting of 10 x 2 bedroom units with bin storage area to the front, cycle storage area to rear and associated landscaping.

(Planning Application Number: P2015/2917/FUL)

In the discussion the following points were made:

- The planning officer stated that the applicant had agreed to pay a £200,000 offsite affordable housing contribution, the onsite total CO₂ reduction in Condition 20 should be 17.45% and the applicant had agreed to a £7,292 carbon offset payment. The £7,292 and other payments in the Heads of Terms of the Section 106 were in addition to the £200,000 offsite affordable housing contribution.
- The chair stated that the inspector had given priority to the council's policy on affordable housing.
- The location of the storage unit was outlined.
- There were site constraints which limited accessibility and meant some requirements could not be met, however one lift was proposed and there was a ramp to the rear.
- A member referred to the government's recent letter to the council, the implications of which meant that the Secretary of State's guidance in Planning Practice Guidance was reaffirmed and that land values should reflect policy requirements and planning obligations. Concern was raised that the viability assessment was not in line with this and should amongst other considerations, take into account the council's 50% affordable housing policy.
- The planning officer advised that the viability study had assessed an alternative use of two single family dwelling houses as the site could be returned to this use without planning permission.
- The planning officer confirmed that the independent viability assessor was not present at the meeting.
- In response to a question about how much it cost to purchase the site, the applicant advised the cost was £3.2 million.
- The planning officer confirmed that the unit without amenity space was not the shared ownership or accessible unit.
- The inspector was not concerned about sunlight, daylight, amenity or bicycle storage and therefore the committee set aside the objections relating to these matters.

Councillor Convery proposed a motion to defer consideration of the application for a revised viability assessment in light of the government's recent letter to the council, the implications of which meant that in accordance with the Secretary of State's guidance in Planning Practice Guidance land values should reflect policy requirements and planning obligations. He stated that the economic viability should be revised to take into account the council's 50% affordable housing policy. This was seconded by Councillor Klute and carried.

RESOLVED:

That consideration of this item be deferred for the reason outlined above.

160

61 LEVER STREET, LONDON, EC1V 3AR (Item B2)

Change of use of ground floor and part basement level from conference centre (Sui Generis) to office (B1a) use, associated flexible A1/A3 use at ground floor, alterations to facades and entrances and the addition of roof lights.

(Planning Application Number: P2015/4230/FUL)

In the discussion the following points were made:

- The planning officer advised that the reference to BREEAM (2011) in Condition 6 – BREEAM (Compliance) should be replaced with BREEAM (2014) – Refurbishment and Fit Out.
- The planning officer confirmed that five desks had been secured at 50% of the market rate for five years. The legal officer advised that the desks were unlikely to be in a separate space, a lease or licence might not be appropriate and a more flexible arrangement might be required to secure access.

Planning Committee - 10 December 2015

- It would not be possible to limit the occupier to shared workspace as they were only restricted to uses within their land use class.
- Licensing matters were to be considered against a separate regulatory regime.
- There was an extant permission in place which meant the space could be used as a conference centre without planning permission.
- The application was consistent with policy.

Councillor Nicholls proposed an additional condition requiring a Delivery Service Plan which would include specified delivery times, to be put in place. This was seconded by Councillor Klute and carried.

RESOLVED:

That planning permission be granted subject to the conditions set out in Appendix 1 of the officer's report as amended above and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer's report.

The meeting ended at 8.30 pm

CHAIR

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COMMITTEE AGENDA

1 119 Farringdon Road London EC1R 3DA

**2 423-425, 429-435 [odd] Caledonian Road; 1-11 Balmoral Grove;
4-6 [even] Brewery Road & Grove House 1 Market Road, London, N1**

3 Hill House, 17 Highgate Hill, London, N19 5NA

**4 Southern Part of the Site of Whitehall Park Primary School (Formerly Ashmount
Primary School) Ashmount Road, London N19 3BH**

1 119 Farringdon Road London EC1R 3DA

Ward: Clerkenwell

Proposed Development: Demolition and redevelopment of the existing office building (Class B1) to provide an 8 storey (plus lower ground floor) building with office use (Class B1) at part lower ground, part ground and upper floors and flexible commercial uses (Class A1,A3,D1) at part lower ground and part ground floor level along with associated landscaping and a new area of public realm. This application may affect the character and appearance of a conservation area and the setting of a listed building. Town and Country Planning (Listed Building and Conservation Areas) Act 1990 (as amended); Section 67 and 73.

Application Number: P2015/4143/FUL

Application Type: Full Planning Application

Case Officer: Stefan Sanctuary

Name of Applicant: Viridis Properties 5 Ltd

Recommendation:

**2 423-425, 429-435 [odd] Caledonian Road; 1-11 Balmoral Grove;
4-6 [even] Brewery Road & Grove House 1 Market Road, London, N1**

Ward: Caledonian

Proposed Development: RECONSULTATION - Demolition of all existing buildings on site to provide a mixed use development within new buildings ranging from 1-11 storeys; providing 252 residential units [use class C3]; flexible employment [use class B1a-c]; flexible retail [use class A1-A3]; and community [use class D1] floorspace; together with the creation of a new central vehicular and pedestrian access route through the site from Market Road to Brewery Road and associated highway works; basement car parking; cycle parking; creation of a new pedestrian access into the site from Caledonian Road; and provision of open space and associated works of hard and soft landscaping. DEPARTURE - This proposal constitutes a departure from the development plan with respect to introduction on non-business uses onto this site (policy DM5.3)

Application Number: P2015/3989/FUL

Application Type: Full Planning Application

Case Officer: Simon Greenwood

Name of Applicant: London Square [Caledonian Road] Ltd.

Recommendation:

3 Hill House, 17 Highgate Hill, London, N19 5NA

Ward: Junction

Proposed Development: Recladding of existing building; creation of a new residential entrance in eastern facade; erection of a ground floor front extension and reconfiguration of existing retail floorspace; installation of new shops fronts; erection of a wind canopy and landscaping; creation of roof terraces above the plinth; erection of a two storey extension to the tower to create 9 self-contained dwellings and rooftop terraces; and creation of a 2 storey refuse / recycling facilities and cycle store in undercroft of west elevation.

Application Number: P2015/3977/FUL

Application Type: Full Planning Application

Case Officer: Geraldine Knipe

Name of Applicant: BODE Limited

Recommendation:

4 Southern Part of the Site of Whitehall Park Primary School (Formerly Ashmount Primary School) Ashmount Road, London N19 3BH

Ward: Hillrise

Proposed Development: The demolition of the existing buildings on the southern part of the Former Ashmount School site and the erection of 46 residential units in three blocks with associated landscaping.

Application Number: P2015/2913/FUL

Application Type: Full Planning Application

Case Officer: Sarah Wilson

Name of Applicant: no information given

Recommendation:

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 333
222 Upper Street
LONDON N1 1YA

PLANNING COMMITTEE		
Date:	19 th January 2015	NON-EXEMPT

Application number	P2015/4143/FUL
Application type	Full Planning Application
Ward	Clerkenwell
Listed building	None on site.
Conservation area	Clerkenwell Green Conservation Area
Development Plan Context	<ul style="list-style-type: none"> - Core Strategy Key Area – Bunhill and Clerkenwell - Central Activities Zone (CAZ) - Employment Priority Area (general) - Within 50m of listed buildings – 113 Farringdon Road (Grade II); 3 Ray Street (Grade II); 11 Ray Street (Grade II) and 1 Herbal Hill (Grade II) - Site Allocation BC43 - Clerkenwell Green Conservation Area - Protected Vista – Kenwood viewing gazebo to St Paul's Cathedral & Parliament Hill summit to St Paul's Cathedral - Within 100m of TLRN Farringdon/Smithfield Intensification Area
Licensing Implications	In the event of the flexible ground floor use being taken up by an A3 use, a licence may need to be applied for.
Site Address	119 Farringdon Road, London, EC1R 3DA
Proposal	Demolition and redevelopment of the existing office building (Class B1) to provide an 8 storey (plus lower ground floor) building with office use (Class B1) at part lower ground, part ground and upper floors and flexible commercial uses (Class A1,A3,D1) at part lower ground and part ground floor level along with associated landscaping and a new area of public realm.

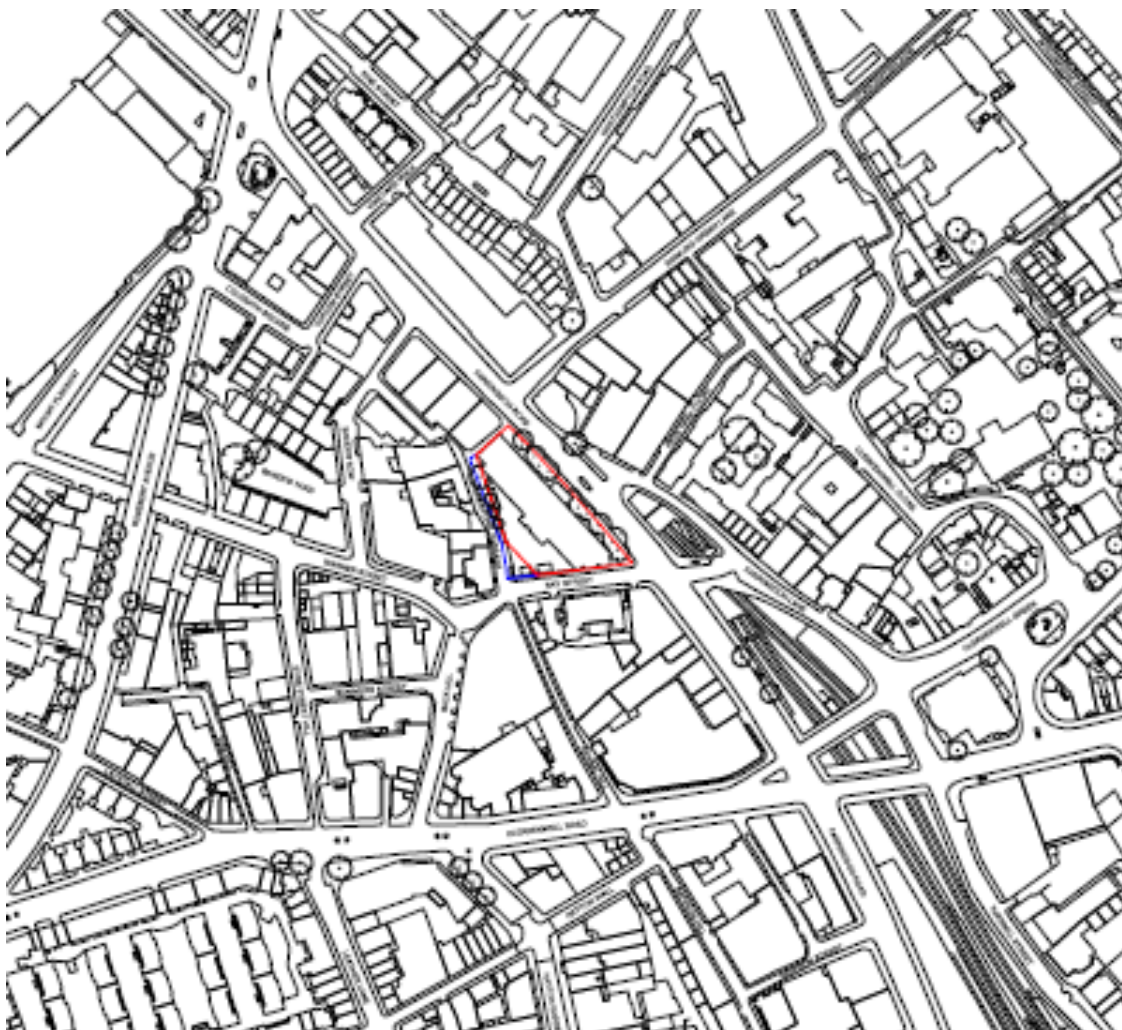
Case Officer	Stefan Sanctuary
Applicant	Viridis Properties

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. subject to the conditions set out in Appendix 1;
2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1;
3. where applicable, subject to any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London.

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Birds-eye view of site



View of site looking north-west



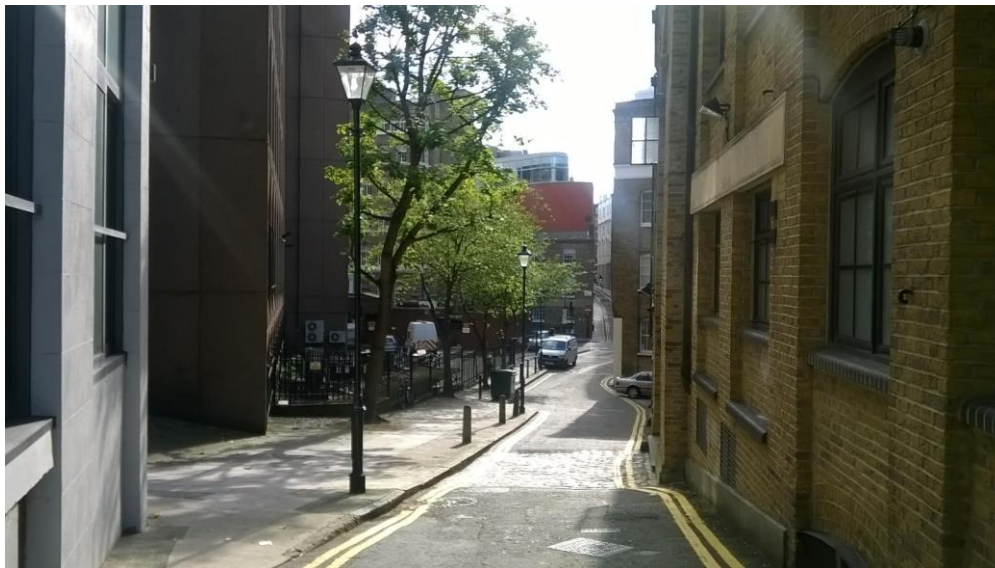
Rear of subject building from Ray Street



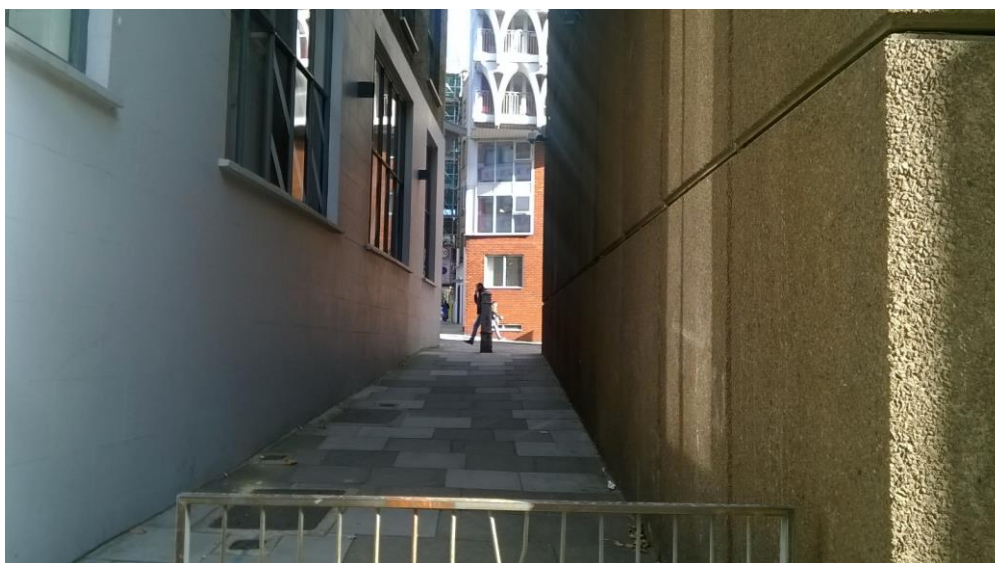
Looking north along Crawford Passage



View from Crawford Passage



Looking south down Crawford Passage



Looking east along Dabb's Lane



View of service yard at the rear



View of London Plane trees along the front

4. SUMMARY

- 4.1 The application site is located on the western side of Farringdon Road, between Ray Street, Crawford Passage and Dabb's Lane and is situated within the Clerkenwell Green Conservation Area. The area has a special character and appearance, which stems from its mix of uses, its architecture and its history. The site is occupied by a 7-storey office building dating from the 1970s, formerly occupied by the Guardian newspaper media group and most recently occupied by a theatre company. The existing seven storey building is slightly taller than the surrounding buildings, does not follow the typical architecture of the street and offers very little in terms of architectural merit.

- 4.2 The application proposes the demolition of the existing office building and redevelopment of the site to provide an 8 storey (plus lower ground floor) building with office use (Class B1) at part lower ground, part ground and upper floors and flexible commercial uses (Class A1,A3,D1) at part lower ground and part ground floor level along with associated landscaping and a new area of public realm. The proposal also includes servicing and delivery space, plant room, cycle storage facilities and accommodates the substation at lower ground floor level. Further plant room as well as affordable workspace suitable for small and medium enterprises (SMEs) is located at ground floor level.
- 4.3 The land-use element of the proposal is considered to be acceptable through delivering a thoroughly mixed-use development that would increase and improve the existing office (B1a) floorspace on the site, increase the amount of retail floorspace, provide for SMEs and contribute to the borough's housing stock by making a financial contribution towards the delivery of affordable housing.
- 4.4 The proposal is considered to be of the highest quality in terms of architecture and urban design. The architecture proposed would make a positive contribution to a coherent public realm, streetscape and wider cityspace and would enhance and protect Islington's built environment. The application is considered to reinforce the borough's unique character by reintroducing more traditional street patterns and adopting traditional as well as contextual materials and articulation. As such, the proposal is considered to be in accordance with London Plan Policy 7.6, Islington Core Strategy Policy CS7 and Islington's Development Management Policy DM2.1.
- 4.5 The planning application, due to its high quality landscaping, planting scheme and replacement tree canopy cover is considered to be consistent with Policy 7.21 of the London Plan and Islington Core Strategy CS15. Whilst the proposal to remove some of the trees protected by tree preservation order (TPO) on site goes against the aims of Development Management Policy DM6.5, an exception can be made in this because of the particularly good quality and quantity of the re-provision proposed.
- 4.6 The proposal is not considered to have an unacceptable impact on neighbouring amenity in terms of loss of sunlight, daylight, privacy, or an increased sense of enclosure; and the replacement trees proposed are considered to contribute positively to air quality in the local area. Finally, the application proposes a sustainable building in a highly sustainable location that would effectively reduce future carbon emissions through the use of energy efficiency measures, clean and renewable energy and sustainable design methods.

5. SITE AND SURROUNDING

- 5.1 The application site is located on the western side of Farringdon Road, between Ray Street, Crawford Passage and Dabb's Lane and is situated within the Clerkenwell Green Conservation Area. The site is occupied by a 7-storey office building dating from the 1970s, formerly occupied by the Guardian newspaper media group and most recently occupied by a theatre company.

- 5.2 The existing building is set back from Farringdon Road and has a row of 10 London Plane trees, subject to tree preservation order, along its frontage. The rear of the site is currently used as a service yard with a substation and a service / delivery bay occupying ground level. The existing building is slightly taller than its surrounding buildings, does not follow the typical architecture of the street and offers very little in terms of architectural merit.
- 5.3 The nearest buildings to the south, on the junction of Farringdon Road and Ray Street, are 111-117 Farringdon Road and 3-7 Ray Street, 6-storey grade II listed former warehouse buildings that are currently in use as offices. These buildings date from the 1860s and are characteristic of the 19th century warehouse and vernacular architecture along Farringdon Road and the surrounding area. Further west along Ray Street on the junction of Herbal Hill are a 3-storey grade II listed residential property and Herbal House, a 6-storey former warehouse building currently being refurbished to provide a mix of residential and commercial uses.
- 5.4 Bordering the site to the north are further warehouse buildings of six storeys in height. On the opposite site of Farringdon Road is a more modern red-brick building used as student accommodation, while more 19th century brick-built buildings characterise the remainder of the Farringdon Road streetscape. To the rear of the site along Crawford Passage are a number of 19th century warehouse buildings that have more recently been converted to residential accommodation.
- 5.5 Located at the northern edge of the Fleet Valley on the west side of Farringdon Road and to the north of Clerkenwell Road, the site occupies an important location at the western edge of the historic Clerkenwell Green area. The Clerkenwell Green Conservation Area has a special character and appearance which stems from its mix of uses, its architecture and its history. A wide variety of medieval, Victorian and contemporary residential and commercial buildings make up the area's built environment.

6. PROPOSAL (IN DETAIL)

- 6.1 The planning application proposes the demolition of the existing office building and redevelopment of the site to provide an 8 storey (plus lower ground floor) building with office use (Class B1) at part lower ground, part ground and upper floors and flexible commercial uses (Class A1,A3,D1) at part lower ground and part ground floor level along with associated landscaping and a new area of public realm. The proposal also includes servicing and delivery space, plant room, cycle storage facilities and accommodates the substation at lower ground floor level. Further plant room and affordable workspace suitable for SMEs is located at ground floor level.
- 6.2 The proposed building is served by a main entrance from Farringdon Road towards the centre of the building. The main entrance provides access to the office floorspace above via a lift and stair core. A secondary entrance, approximately 20 metres further north along the building's Farringdon Road frontage provides access to the SME space. A further entrance on the junction of Farringdon Road and Ray Street provides access to the restaurant / café space at ground and lower ground floor level. Finally, a new area of landscaping is proposed along the Farringdon Road frontage with three of the

existing trees retained and seven others replaced by eight new companion trees.

- 6.3 To the rear of the site on Crawford Passage, at lower ground floor level, the proposed café / restaurant use opens out onto a new area of public realm with new hard and soft landscaping features. A further entrance at the rear provides access to the lift/stair core, bicycle storage area and changing facilities. Further up Crawford Passage a new vehicular entrance is proposed which provides access for servicing and delivery vehicles. Internally, this space provides the site's substation and the relocated UKPN substation as well as plant room and a refuse storage area.
- 6.4 The upper storeys of the proposed buildings provide further B1a office accommodation. The Crawford Passage elevation is progressively set back on each floor so that the building form gradually begins to taper and the office floorplates decrease in size. The top floor of the proposed office building, which is narrower than the existing building, provides further office accommodation and a plant enclosure.
- 6.5 In terms of the elevations, the composition of the facades takes its cue from the surrounding urban context and the proposed building thus constitutes a modern interpretation of the traditional vernacular architecture typical of the area. The symmetrical rhythm of the fenestration and openings follows the symmetrical nature of the surrounding Victorian warehouse buildings, whilst the brick facades reference the type of brick and bonds used in the surrounding area.
- 6.6 The chamfered corner on Ray Street is typical of many other buildings along Farringdon Road. The Crawford Passage elevation provides a more intimate scale as the building tapers towards the upper storeys, providing a series of landscaped terraces. A similar approach to materials is adopted on this elevation with large windows openings separated by brick sections.

7. RELEVANT HISTORY:

- 7.1 There is quite an extensive planning application history for the building 119 Farringdon Road and a separate application history for the trees at the front of the building. The following is the most recent history for the building:

Application Ref(s)	Proposal	Decision	Date
991240	Single storey forward extension to incorporate entrance waiting area and canopy.	Approved with conditions	26/08/1999
P001810	Lower basement, basement, ground and part four/part seven storey office extension to rear and additional plant enclosure to roof of existing building.	Withdrawn	17/12/2000
P021051	Erection of single storey	Approved with	10/07/2002

	rear entrance lobby.	conditions	
P022509	To temporarily site a portacabin in the rear yard for use as a courier collection point.	Approve with conditions	05/12/2002
P031394	Extension of time for the siting of a portacabin in the rear yard for use as a courier collection point.	Approved with conditions	27/08/2003
P050299	Change of use, conversion, and extension of the existing building to provide 1,867square metres B1 (business) space at lower ground and ground floor levels, an A3/A4 (restaurant/bar) unit at ground floor level at the corner of Ray Street and Farringdon Road, 118 residential units and 27 car parking spaces at lower ground floor level accessed via a new vehicular access from Ray Street.	Approved with conditions	06/04/2005
P080854	Demolition of existing building and felling of trees and erection of a 9-storey building plus basement level for A1 (retail) use at ground floor level and B1 (office) use at part basement and ground and wholly to upper floors together with associated onsite servicing, plant rooms, cycle storage.	Withdrawn	18/09/2008
P080855	Conservation Area Consent application in connection with the felling of trees to the Farringdon Road frontage, demolition of the existing building and erection of a nine storey building for A1 (retail) and B1 (office) use.	Withdrawn	14/08/2008
P082074	Conservation area consent application in connection with the felling of trees to the Farringdon Road frontage, demolition of the existing building and erection of an 8-storey building for B1 (business)	Withdrawn	09/03/2009

	and A1 (shop) use.		
P082075	Demolition of existing building and felling of trees and erection of an 8-storey building plus basement level for A1 (shop) use at ground floor level and B1 (business) use at part basement and ground and wholly to upper floors together with associated onsite servicing, plant rooms and cycle storage.	Withdrawn	09/03/2009
P090352	Erection of new public call box	Prior Approval required – refused	17/04/2009
P120542	Application to extend the time for the implementation of planning permission reference P050299 dated 7 March 2007 for the Change of use, conversion, and extension of the existing building to provide 1,867square metres B1 (business) space at lower ground and ground floor levels, an A3/A4 (restaurant/bar) unit at ground floor level at the corner of Ray Street and Farringdon Road, 118 residential units and 27 car parking spaces at lower ground floor level accessed via a new vehicular access from Ray Street.	Withdrawn	20/08/2012
P2014/2897/FUL	A temporary change of use from B1 to dual use comprising B1 and Sui Generis Use for the provision of a theatre space, with ancillary studios/workshops and retail cafe/bar.	Approval recommended. Use now ceased.	

7.2 The following is the application history involving the trees at the front:

Application Ref(s)	Proposal	Decision	Date
970151	Tree works in front garden. Planes (9): Crown lift 4m	Approved with	11/03/1997

	crown thin 35% and deadwood. Broken plane: Fell.	conditions	
981870	Pruning of trees in front. 10 x PLANES: Thin extremities of crowns by up to 30%. Cut back to clear building by 2.5m. Lift to 4m over pavement and 6m over road.	Approved with conditions	05/11/1998
P000726	Tree works in frontage area. Works: Planes (10): Crown reduce 20-25%, clear building by one metre, deadwood.	Approved with conditions	16/05/2000
T080458	Tree Pruning works in the Clerkenwell Green Conservation Area. X10 London Planes , crown reduce by up to 20%.	Approved with conditions	24/12/2008
P2012/0319/TRE	T1, T2, T3: Sorbus species 25% Crown reductions T4: Norwegian maple - prune back from building, 20% crown reduction.	Withdrawn	22/03/2012
P2013/0092/TRE	X10 London Plane - T1- T10 of LBI TPO (No.404) 2009 20% Crown reduction, back to previous pruning points	Withdrawn	22/03/2012
P2014/3861/TRE	10 x Plane trees Crown lift sub-lateral branches to a height of 6m above ground level. Cut back from building to give a 3m clearance. Clear lamp column poles by 1m but clear lamp heads by 2-2.5m	Approve with conditions	05/11/2014

ENFORCEMENT:

7.3 There are two historic and now closed enforcement cases related to the application site. They are:

- Installation of air-conditioning units on rear elevation at ground floor level. This case was closed on the 19th July 2000.
- Installation of a portacabin on the pavement. This case was closed on the 22nd January 2003.

PRE-APPLICATION ADVICE:

- 7.4 A series of pre-application meetings and discussions have taken place since September 2013. These have included presentation and analysis of the proposal at Design Review Panel and Members' Forum. Further details of this are provided below.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 323 adjoining and nearby properties on Crawford Passage, Ray Street, Warner Street, Herbal Hill, Farringdon Road, Pear Tree Court, Baker's Row, Bowling Green Lane, Farringdon Lane, Northampton Road and Clerkenwell Close on the 8th October 2015. A site notice and press advert were displayed on the 15th October 2015. The public consultation of the application therefore expired on the 5th November 2015, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report a total of 14 responses had been received from the public, including a letter from the Mount Pleasant Association, with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- All 10 London Plane trees at the front of the site should be retained [*paragraphs 11.37 – 11.43*];
 - The loss of the existing trees would be a detriment to air quality [*11.61 - 11.66*];
 - The design of the front elevation is uninspiring [*11.25 – 11.32*];
 - The proposal should include housing [*11.9 – 11.10*];
 - The proposed development would lead to an unacceptable impact in terms of sunlight / daylight [*11.50 – 11.54*];
 - The proximity of the proposed building would lead to increased overlooking and a loss of privacy [*11.55 – 11.56*];
 - Proposed servicing/delivery arrangements would lead to unacceptable noise and traffic safety impacts [*11.91 – 11.95*];
 - The position of the various entrances is ill-conceived and would lead to a loss in neighbouring amenity [*11.57 – 11.60*].
- 8.3 A number of other objections were raised that are not considered planning matters. They are the following:

- That the company making the planning application is registered off-shore;
- The development would lead to impacts on the local amenity during the construction process (*conditions 24 and 26*)

External Consultees

- 8.4 The Design Council (originally known as CABE) offered no comment on the proposal.
- 8.5 Lead Local Flood Authority raised no objection to the proposal subject to relevant conditions
- 8.6 Metropolitan Police (Crime Prevention) raised no objection to the proposal.
- 8.7 Thames Water raised no objection to the proposal subject to relevant conditions and informatives.
- 8.8 Transport for London are satisfied that the proposal would be unlikely to have a negative impact on the capacity of either public transport or the TLRN. TfL would expect a Delivery and Service Plan in order to manage servicing and delivery requirements for the site. The proposed changes to the public realm are welcomed subject to compliance with TfL's Streetscape guidance. Finally, while the loss of the trees along the Farringdon Road frontage is not welcome, mitigation in the form of new trees is supported.
- 8.9 The London Fire and Emergency Planning Authority raised no in principle objections subject to the installation of a sprinkler system.
- 8.10 The GLA issued their Stage 1 letter with the following points raised:
- Land-use principles: The principle of a commercial development with commercial and retail and cafe uses and SME space at lower ground and/or ground floor and office use above is acceptable in strategic planning terms. However, confirmation of the amount to be secured and further information on the housing to be provided and whether this is in line with local needs should be provided to the GLA. Furthermore, the Council should seek to secure a payment in lieu and the applicant should be made to address the residential shortfall through a s106 agreement.

Confirmation has been provided and the contribution of £185,360 towards affordable housing is line with policy.

- Strategic views: Whilst a TVIA has been submitted, it does not provide an assessment of the impact of the scheme upon this strategic view. The applicant should confirm the height of the proposed building and whether it falls below the threshold plane as set out in the LVMF SPG, and if it does exceed the threshold plan, should produce a visual impact assessment, including a verified view of the proposal from this position. This should be provided before the application is referred back to the Mayor at Stage II.

The applicant has responded to this point. As the proposed building is +46.67 metres at its highest point, it would not encroach on any of the strategic and local viewing corridors.

- Inclusive design: The inclusive design provisions are welcomed.
- Urban design: The overall design approach of the scheme is generally supported, however some urban design issues are to be addressed. Additional entrances should be added to the retail/cafe space along Ray Street to further activate this frontage. Further detail of the facade treatment at the location of the plant facilities should also be provided before the application is referred back to the Mayor at Stage II.

The applicants have responded citing the level changes and narrow width of the pavement as obstacles to delivering entrance directly from Ray Street. Indeed the applicant and the LPA have previously discussed this point and it is considered that the chamfered corner on Ray Street, active uses on the corner of Crawford Passage and glazed frontage onto Ray Street would result in a more active frontage and an improved relationship between building and street.

- Trees and woodlands: Although the loss of trees, particularly the London plane trees does not comply with policy, overall the scheme contributes and enhances the landscape, biodiversity value and growing conditions of the site and surrounding area, and re-provides the canopy that is proposed to be lost. The applicant should articulate the development constraints to justify the removal of the 7 London plane trees. A detailed assessment of whether T2 can be retained instead of T3, as recommended by the Council, should also be provided by the applicant.

The applicants have submitted detailed justification for the removal of the London Plane trees. The trees chosen for retention are those farthest from the building line whose roots do not conflict the proposed building's structure

- Transport: The application is generally acceptable in principle however falls short of some of the transport policies requirements of the London Plan subject to appropriate conditions and/or s106 obligations which should be secured in relation to deliveries and servicing, construction logistics, paving and vegetation, cycle infrastructure and parking, car parking, public transport and a travel plan (*conditions 5, 13, 16, 26*). Mayoral and local CIL payments will also need to be secured.
- Climate change: Though the carbon dioxide savings (35%) meet the target within Policy 5.2 of the London Plan, further information is required before compliance with London Plan energy policy can be verified. The applicant should consider the flood risk that exists at the site and supply information on the nature of the risk and to what extent it requires mitigation measures (*condition 10*). The applicant should also supply information about the proposed approach to sustainable drainage for this development.

The applicants have provided further details of the SUDS strategy to the satisfaction of the Local Planning Authority.

Internal Consultees

8.11 The Access Officer raised the following points about the proposal:

- The retention of the kerb along Crawford Passage, the alignment of the street furniture to maintain clear unobstructed routes and the inclusion of tactile paving to highlight the crossover are all welcome features.
- The level changes across the site present a real challenge and a real attempt has been made to rationalise and resolve them.
- A 'sitting wall' is proposed as a means of addressing the level difference (between café forecourt and footway). This is welcome, however it is recommended that the wall be provided with some more supported seating. *New seating detail has now been provided which is considered acceptable.*
- The tactile paving at the head of the steps along the Farringdon Road frontage cut across the entrance to one of the commercial units. *Further details will be required by condition 17 to resolve this issue.*
- Caution is advised regarding the use of terrazzo mats as a paving material at the front of the building as the material has a high slip potential. *This will be further reviewed as part of condition 17 should permission be granted.*
- At present it is suggested that just two on-street bays would be secured, this is unlikely to be sufficient. *A total of six spaces have now been identified and a financial contribution would be required from the applicant in order to deliver them.*

8.12 Design and Conservation Officer has welcomed the proposal, adding that the current building is monolithic and makes no contribution to the conservation area. The overall design of the building is welcomed and will compliment and raise the quality of the street frontage along Farringdon Road and local townscape. Although a simple design to the front, it references the surrounding context and proposes a very sophisticated and elegant brickwork treatment. The tiered rear is unusual for the area but assists in reconciling the large scale of the Farringdon Road frontage with the more modest scale at the back by breaking down the mass. Subject to high quality materials and detailing, it is considered that the proposal will be a positive addition to local townscape.

8.13 The Energy Conservation Officer welcomed the financial contribution towards carbon off-setting and supported the objective of achieving a BREEAM rating of 'Excellent'. The energy efficiency measures and renewable energy proposed are considered appropriate and in accordance with policy. Finally, though

connection to the DHN is not currently proposed, the development would need to be future-proofed to enable connection in the future.

- 8.14 The Tree Preservation/Landscape Officer raised concerns about the loss of the TPO trees but supported the overall proposal from an arboricultural and landscape point of view.
- 8.15 Public Protection Division raised no objections in principle, subject to relevant conditions on air quality, noise and land contamination.
- 8.16 Spatial Planning and Transport (Transport Officer) raised no objections to the proposal.
- 8.17 Street Environment Division raised no objections to the application.
- 8.18 The Sustainability Officer raised the following points:
- Achieving a BREEAM 'Excellent' building is supported;
 - Financial contribution towards carbon offsetting is welcomed;
 - The applicants have explored the use of rainwater/grey water harvesting and achieve 100% credits for BREEAM on water;
 - A commitment to diverting 85% of demolition waste from landfill is supported;
 - The area of green roof should be maximised and the SUDS strategy has not yet been fully developed.

Other Consultees

- 8.19 The application was presented to the Members' Pre-application Forum on the 20th April 2015.
- 8.20 The proposal was presented and reviewed at the Design Review Panel on the 12th May 2015 and on the 8th September 2015. At the first visit to DRP, the panel raised the following points:
- The idea of set-backs at the rear and the differentiation between the rear and the front was welcomed but there were concerns about how the longevity of the stepped landscape terraces/set-backs would be ensured through defining details of set-backs;
 - It was felt that that the rear elevation could be broken down further to respond to the change in scale at the back and mitigate overlooking;
 - The importance of Crawford Passage as a medieval route was highlighted and it was questioned whether more work could be done to reference the historic building line;
 - The full removal of the trees along Farringdon Road was questioned and retention of some of the trees should be incorporated into the scheme.

8.21 The proposal was presented to the Design Review Panel for a second review on the 8th September 2015. The scheme had been amended by the following changes;

- a clearer strategy regards tree retention and planting has been developed;
- more detail has been provided on proposed materials, particularly with regard to brick types and bonds;
- alterations have been made to the rear elevation to provide a better relationship with the street and neighbouring properties;

8.22 The following feedback was provided by DRP after the second review:

- The design approach was commended and no objections were raised to the massing;
- The changes to the form at the rear were welcomed as they assisted in addressing previous concerns about overlooking;
- The attention to detail and quality of materials proposed, in particular the refinement of the brickwork, was praised. Despite a clear contemporary scheme, it was felt that the proposed design was contextual;
- The Panel were supportive of the proposal to Crawford Passage and felt that there was now a better understanding of servicing requirements and solutions;
- The retention of three of the trees was welcomed and it was considered that the landscaping scheme in general provided a meaningful solution to the site.

The Design Review Panel letters for both the 12th May and 8th September are appended.

9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.3 Under the Ministerial Statement of 18 December 2014, the government seeks to increase the weight given to SuDS being delivered in favour of traditional

drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).

9.4 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via:

- Written Ministerial Statement issued 25th March 2015
- Deregulation Bill (amendments to Building Act 1984) – to enable 'optional requirements'
- Deregulation Bill received Royal Assent 26th March 2015

Development Plan

9.5 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Site Allocation

9.6 The site is identified as site BC43 within the Finsbury Local Plan, which states that redevelopment of the existing building to provide a mix of uses, including office use, housing and retail / leisure at ground level. The site allocation requires for new development to:

- contribute to the existing character of buildings facing the Fleet Valley in terms of massing, geometry and materials;
- conserve and enhance the heritage setting, particularly with regard to the Grade II listed building at 113-117 Farringdon Road;
- retain several of the mature trees subject to Tree Preservation Order;
- proposals should be required to further assess and mitigate the risk of flooding.

Designations

9.7 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- | | |
|---------------------------------------|---|
| - Central London Zone (CAZ) | - Protected Vistas (Parliament Hill & Kenwood to St. Pauls Cathedral) |
| - Archaeological Priority Area | - Adjacent to TLRN |
| - Clerkenwell Green Conservation Area | - Employment Priority Area (General) |
| - Cycle Routes (Local) | - Bunhill & Clerkenwell Core Strategy |

- Farringdon/Smithfield Area of
Intensification.

Key Area
- Finsbury Local Plan Area

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.8 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ENVIRONMENTAL IMPACT ASSESSMENT

- 10.1 No EIA is required for this development as the development proposed does not exceed the threshold of development required by Schedule 1 or 2 of the EIA regulations.

11. ASSESSMENT

- 11.1 The main issues arising from this proposal relate to:

- Principle (Land Use)
- Demolition of buildings within a Conservation Area
- Design, Conservation and Heritage
- Landscaping and Trees
- Neighbouring Amenity
- Accessibility
- Energy and Sustainability
- Highways and Transportation
- Section 106 and CIL

Land-use

- 11.2 The site falls within an Employment Priority Area (General). Policy BC8, part A of the Finsbury Local Plan (FLP) requires that in addition to protecting existing business floorspace, proposals should incorporate the maximum amount of business floorspace reasonably possible. The principle of an increase in office floorspace is therefore supported. The proposals would deliver an additional 2,351sqm (GEA) of B1a office floorspace across the site.

- 11.3 Policy BC8, part B states that the employment floorspace component of a development should not be unfettered commercial office uses, but, where appropriate, must also include retail or leisure uses at ground floor, alongside:

- i. A proportion of non-B1(a) business or business-related floorspace (e.g. light industrial workshops, galleries and exhibition space), and / or*
- ii. Office (B1(a)) or retail (A1) floorspace that may be suitable for accommodation by micro and small enterprises by virtue of its design, size or management, and/or*
- iii. Affordable workspace, to be managed for the benefit of occupants whose needs are not met by the market.*

- 11.4 The proposal includes 1,413 sqm of flexible commercial (Class A1/A3/D1) floorspace at ground and lower ground floor level. The space is presented over two levels with two separate entrances, one towards the rear on Crawford Passage and one at the front on Farringdon Road. The space could accommodate café/restaurant uses at lower ground floor level (opening out onto the area of public realm to the rear) and a retail/gallery use at upper ground floor level with access from Farringdon Road. In any case, the floorspace is below the minimum 2,500sqm, at which point (in accordance with Development Management Policy DM4.3) a new retail development would need to incorporate a small shop premises.
- 11.5 The proposal for a café/restaurant use would also need to comply with Policy DM4.3, which resists such uses where they would result in negative cumulative impacts due to an unacceptable concentration of such uses in the area or if they would cause unacceptable disturbance or detrimentally affect the amenity, character and function of an area. The proposal's impact on amenity, character and function of the area will be considered in subsequent sections of the report.
- 11.6 In order to protect Town Centres, Development Management Policy DM4.4 requires for applications proposing more than 80sqm of A use class or D2 use floorspace within the Central Activities Zone to demonstrate the development would not individually, or cumulatively with other development, have a detrimental impact on the vitality and viability of Town Centres within Islington or in adjacent boroughs, or prejudice the prospect for further investment needed to safeguard their vitality and viability. It should also be demonstrated that the proposal would support and complement existing clusters of similar uses within or adjacent to Central Activities Zone, particularly important retail frontages.
- 11.7 The nearest town centre is half a mile away at the Angel Town Centre, which is considered to be at a sufficient distance from the application site for it not to be threatened by a medium-sized retail unit at this location. Moreover, a virtually unbroken cluster of retail and café/restaurant uses runs along Farringdon Road from the Exmouth Market Local Shopping Area to the application site. The proposed retail unit would form an integral part of this cluster and would be considered to complement its function. The proposal's new shopfront along Farringdon Road is subject to an assessment against the Council's shopfront policy DM4.8 in the subsequent sections of this report.
- 11.8 In accordance with Policy BC7 (Historic Clerkenwell) and BC8 (Achieving a balanced mix of uses), commercial developments of this nature and scale should provide business workspaces suitable for SMEs or affordable workspace managed for the benefit of occupants whose needs are not met by the market. The proposal includes an area of 461sqm of SME space reserved for small or medium enterprises or commercial start-ups. It is proposed that half of this floorspace will be offered as affordable workspace at a peppercorn rent for 10 years and secured through a legal agreement.
- 11.9 Turning to housing, policy BC8 part D states that where there is a net increase in office floorspace, proposals should incorporate housing consistent with London Plan Policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for

provision of off-site housing. The inclusion of residential uses on site in addition to the other uses proposed, would further reduce the net increase in business floorspace.

- 11.10 It is not considered feasible to provide more than 10 residential units on site given site constraints and the additional circulation, entrance, core, plant room and ancillary space requirements necessitated by residential accommodation. The building is located in the Clerkenwell Green Conversation Area and there are a number of heritage considerations restricting the height and massing of the building. Given policy objectives of providing active non-office business uses at ground floor level, the objective of increasing the amount of office floorspace on site and design considerations, the provision of housing on site has become unfeasible. In this instance, it is considered more appropriate to require a financial contribution towards the off-site provision of affordable housing. Thus, the section 106 agreement would include a contribution of £185,360 towards affordable housing.
- 11.11 In summary, the land-use element of the proposal is considered to be acceptable through delivering a mixed-use development that would increase and improve the existing office (B1a) floorspace on the site, increase the amount of retail floorspace, provide for SMEs and contribute to the borough's housing stock via an off-site contribution.

Demolition of Buildings within a Conservation Area

- 11.12 On the 1st October 2013, the Government brought in (under various legislature made under the Enterprise and Regulatory Reform Act 2013 (ERRA)), the removal of Conservation Area Consent requirements.
- 11.13 This legislation abolishes the need for conservation area consent where a full planning permission application is made under the Town and Country Planning Act 1990 and consequently the demolition of unlisted buildings in conservation areas will no longer be permitted development under Part 31 of the GDPO (General Permitted Development Order).
- 11.14 Notwithstanding the above, the existing building is not considered to contribute positively to the character and appearance of the Clerkenwell Green Conservation Area and its demolition is therefore supported in principle subject to a satisfactory replacement building of a sensitive scale and design. Permission would be subject to a condition (*condition 30*) ensuring that the demolition and construction is carried out without interruption.

Design, Conservation and Heritage Considerations

- 11.15 The National Planning Policy Framework states that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development.
- 11.16 The London Plan (2015) Policy 7.6 expects architecture to make a positive contribution to a coherent public realm, streetscape and wider cityspace. It should incorporate the highest quality materials and design appropriate to its context. Moreover, buildings and structures should be of the highest

architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and comprise details and materials that complement, not necessarily replicate, the local architecture.

- 11.17 Islington's Core Strategy Policy CS7 identifies the Bunhill and Clerkenwell area as having a rich character and significant historic value. This is particularly true of Clerkenwell, which has a street pattern that dates from medieval times. Policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive. The borough's unique character will be protected by preserving the historic urban fabric and by promoting traditional street patterns in new developments. The aim is for new buildings to be sympathetic in scale and appearance and to be complementary to the local identity.
- 11.18 Finally, Islington's Development Management Policy DM2.1 requires all forms of development to be of a high quality, incorporating inclusive design principles while making positive contributions to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. All new developments are required to improve the quality, clarity and sense of space around or between buildings, reinforce and complement local distinctiveness and create a positive sense of place.
- 11.19 The site is located within the Clerkenwell Green Conservation Area and thus the site and its context needs to be treated sensitively in terms of heritage assets, strategic and local views. Moreover, Clerkenwell has been facing significant development pressure in recent years and as a result of its heritage significance it is vital that this is taken into account and respected when considering any new development proposals at this location.
- 11.20 The development proposals have been formulated through detailed pre-application discussions over a number of years. From the outset, it was determined that the existing building offers no positive contribution to the streetscape and conservation area. As a consequence the council has no objection in principle to the buildings demolition, subject to a satisfactory replacement building of sensitive scale and design being put forward.

Scale and Massing

- 11.21 In terms of scale, massing and height, any development proposal at this location needs to have regard to the prevailing building heights in the immediate surroundings. Farringdon Road is generally characterised by a variety of 19th century warehouse buildings with building heights predominantly between 5 and 7 storeys. Within this context, the 7 storeys plus lower ground floor level of the existing building constitutes a slightly bulkier, if somewhat underwhelming, structure.
- 11.22 A number of views of the application site have been tested, in particular from points along Farringdon Road, Farringdon Lane, Clerkenwell Road as well as the back streets of Herbal Hill, Ray Street and Crawford Passage, in order to inform the height of the proposed building. As a result of this exercise it has been determined that the main bulk and parapet height of any proposed building should not exceed that of the parapet of the existing building. Moreover, the height and bulk to the rear of the site should more successfully

reflect the lower rise buildings along Crawford Passage and Ray Street. Finally, the proposal would need to have regard to the strategic views to St Paul's Cathedral as both the view from Kenwood House and from Parliament Hill intersect the site.

- 11.23 The proposal to essentially maintain the existing parapet height on the proposed building ensures that the bulk and perceived height of the proposal sits relatively comfortably in its surroundings. Although the overall height of the building would be increased by some 2 metres, from street level the proposed building would read as a 7-storey building consistent with the character of the surrounding area. The tiered rear elevation responds equally well with the lower rise character of Crawford Passage with a series of cut backs helping to break up the mass from views along Ray Street and Herbal Hill.

Layout

- 11.24 The existing building is significantly set back from the street frontage and is thus behind the building line of its existing neighbours. The rear of the site is characterised by a large service yard which fronts onto Crawford Passage and the rectangular shape of the building does not follow the traditional curvature of the narrow medieval street pattern. The layout of the proposed building aims to more successfully reflect the historic urban grain. As such it is proposed to move the building line forward by 1.5 metres so that the new building's façade is more in line with adjacent buildings. The application also involves the removal of the existing rear servicing yard and proposes to bring the building line at ground level out towards the highway. In terms of the building's northern and southern boundary, the proposal largely maintains the building's relationship to the street.

Materiality and Appearance

- 11.25 Farringdon Road has a rich context of Victorian warehouse buildings with varying degrees of scale, height and ornamentation. The immediate south of the subject site is characterised by a particularly eclectic stretch of elevations. The composition of the facades for the proposed building has gone through a number of iterations (and has been presented to the Design Review Panel on two separate occasions) in order to deliver a contextual yet contemporary building.
- 11.26 The applicants have carried out studies of the various materials and forms of articulation prevalent in the existing Farringdon Road streetscape and the wider Clerkenwell context. As a result, the elevational approach proposed involves well-detailed brickwork, articulated openings and a defined parapet line. The symmetrical rhythm of the fenestration and openings also responds well to the facades of surrounding buildings.
- 11.27 The application proposes four different brick bond types: Flemish bond, English bond, Stretcher Bond and headers. The headers are proposed at ground floor as a contemporary addition to the palette and the detail of the shopfront design at ground level would be required by condition (*condition 23*). Flemish bond is proposed at first and second floor levels, with English bond used at third and fourth floor. On the upper levels, a stretcher bond is proposed with the top floor finished in a glazed brick.

- 11.28 A variety of brick colours are used within each of the sections of the façade, emphasising the bond types, providing texture from longer views and detail when viewed close up. Individual bands of brick are separated by continuous concrete bands across each floor. A concrete base is provided beneath the ground level brickwork, affording the building a solid appearance. The overall tone of brickwork ranges from darker and earthier at ground level, to lighter and brighter, particularly with the glazed bricks at the uppermost level. The design concept has a rich aesthetic and is considered to successfully reference the existing context.
- 11.29 On the corner of Farringdon Road and Ray Street a chamfered elevation detail is employed to reflect other buildings in the surrounding area and to better articulate the corner. The Ray Street elevation follows the same principles as the one applied to the Farringdon Road frontage but in a more nuanced form with the building tapering down to the more domestic scale on Crawford Passage. The Crawford Passage elevation also follows the same concept, albeit with the brick bands and window openings at each level tailored to suit the section and terrace to which it relates.
- 11.30 A key component of the proposal's design is the proposed landscaping and public realm improvement works at the front and rear of the site (*condition 5*). Although the proposal involves the loss of a number of London Plane trees, bringing forward of the building line and the consequent reduction in the width of the space at the front, the proposal is considered to include overall improvements to Farringdon Road. The high quality paving and improved tree planting proposed with new entrances to the ground floor commercial uses providing active frontages would provide a more attractive space along Farringdon Road. Existing and new trees complement each other to provide a pleasant and visually attractive space in an otherwise busy and somewhat hostile section of Farringdon Road.
- 11.31 On Crawford Passage the electricity substation and service yard is replaced by a new public space. The public realm here is considered to build on the historic qualities of the area and provides an intimate and irregular space. While the proposed rear building line shifts out towards the highway resulting in a larger building footprint, the set-backs at upper level contribute to providing a more generous space. It is proposed to use natural high quality paving, with granite setts used on the carriageway and Yorkstone paving on the footway. A number of other features are included in the public realm which would contribute to its contextual and attractive aesthetic including existing and proposed setts, cast iron grilles and the reuse of traditional kerbs. The landscaping and trees will be considered in more detail in subsequent sections of this report.
- 11.32 The proposal is considered to be of the highest quality in terms of architecture and urban design (*condition 3*). The architecture proposed would make a positive contribution to a coherent public realm, streetscape and wider cityspace and would enhance and protect Islington's built environment. As such, the application is considered to reinforce the borough's unique character by reintroducing more traditional street patterns and adopting traditional and contextual materials and articulation. In this respect, the application is considered to be in accordance with London Plan Policy 7.6, Islington Core Strategy Policy CS7 and Islington's Development Management Policy DM2.1.

Landscaping and Trees

- 11.33 London Plan Policy 7.21 states that existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place, right tree'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species.
- 11.34 Islington's Core Strategy identifies the importance of trees and open spaces in the borough with Policy CS15 "protecting all existing local open spaces, including open spaces of heritage value, as well as incidental green space, trees and private gardens".
- 11.35 Moreover, Islington Development Management Policy DM6.5 maintains that new developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of a development site and surrounding area, including protecting connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits, including through the incorporation of wildlife habitats that complement surrounding habitat and support the council's Biodiversity Action Plan.
- 11.36 Policy DM6.5 goes on to state that trees, shrubs and other vegetation of landscape and/or environmental significance must be considered holistically as part of the landscape plan. The following requirements shall be adhered to:
- i) Developments are required to minimise any impacts on trees, shrubs and other significant vegetation. Any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits, must be agreed with the council and suitably reprovided. Developments within proximity of existing trees are required to provide protection from any damage during development. Where on-site re-provision is not possible, a financial contribution of the full cost of appropriate re-provision will be required.*
 - ii) The council will refuse permission or consent for the removal of protected trees (TPO trees, and trees within a conservation area) and for proposals that would have a detrimental impact on the health of protected trees.*
- 11.37 The supporting text to the policy provides more detail on the matter of trees and states that in exceptional circumstances, where protected trees are proposed to be removed, suitable re-provision will require replacement and/or additional planting to re-provide at least equal canopy cover and/or equal environmental amenity and visual value. Where on-site re-provision cannot be provided, a financial contribution of the full cost of appropriate re-provision will be required. Further guidance on tree planting and retention is set out in the council's *Streetbook SPD*.
- 11.38 There are three Bird Cherries and a Norway Maple to the rear of the building in and adjacent to Crawford Passage. The application proposes to remove

these four trees. The three Bird Cherries are considered to have moderate growth vitality and to have a low landscape contribution, being categorised under BS5837 as “C” (Low). Furthermore these trees are exhibiting signs of stress through dieback and sparseness of the crown. It is considered that their rooting environment is poor and they do not have much future potential.

- 11.39 The remaining tree at the rear, a Norway Maple, which is in better condition, is exhibiting normal growth vitality and provides a medium landscape value with a BS 5837 categorization of “B” (Moderate). However it is in very close proximity to the proposed building and its retention would not be considered viable under the current proposal. The tree could potentially be retained by redesigning the building, but this would require a significant redesign and could result in the loss of the streetscape improvements which are seen as a positive contribution of the scheme. The proposal includes replacing these trees with 5 new Alders and 1 new Birch tree.
- 11.40 The proposal includes the construction of significantly sized planting pits with medium-mature and large sized trees proposed at the point of planting. It is considered that new trees planted in the advanced-designed tree pits proposed would provide healthier trees and a greater potential canopy in this area than currently provided for. The new tree planting proposed would be secured by condition (*condition 6*) to ensure their chance of survival and success of reaching maturity.
- 11.41 The most significant trees affected by this proposed development are the London Plane trees along the building’s Farringdon Road frontage, of which seven are proposed to be removed. Within the applicant’s documentation, these trees are categorised as exhibiting between normal and moderate growth vitality, providing medium to high landscape contribution. The Plane trees are broadly the same dimensions with a trunk diameter of between 250mm and 400mm. The tree classified as T6, near the existing entrance, appears somewhat weaker than the other trees, showing more deadwood and a sparser canopy. T8 and T9, towards the northern part of the site, are suppressed by T7 and T10. All trees have been reduced in height and have been subject to significant and regular pruning over the last 15 years because of conflicts with the existing building. That being said, the existing London Plane trees are on the whole healthy trees with moderate future potential.
- 11.42 As part of the application, detailed analysis has been undertaken in order to ascertain which of the existing trees could be safely retained given that the building line would be moved forward by 1.5 metres. Three of the largest London Plane trees along the front, which are also those at greatest distance from the proposed building line could be kept. The roots of the remaining trees along the front would be in conflict with the new building line and would have no realistic chance of survival. As such, following much design discussion including root and services surveys, the proposed development includes the removal of seven of the ten London Plane trees from Farringdon Road.



Views of trees along existing frontage

- 11.43 The three Plane trees to be retained along Farrington Road have been selected for their largest separation from the building line, vitality and low impact upon roots. As part of the design process, research into the opportunities for realistic replacement tree planting has also been conducted. The results of the root investigations, which identify the roots uncovered during this assessment work have been provided by the applicant. A services survey has shown that underground utilities are confined almost exclusively to the land below the public pavement of both Farrington Road and Crawford Passage.



Views of trees along proposed frontage

- 11.44 Concerns have been raised by residents that the replacement trees do not compensate for the loss of the existing London Plane trees. However all replacement trees are to be semi-mature with a minimum girth of 200mm.

The applicant's scheme goes a long way towards contributing and enhancing the landscape, biodiversity value and growing conditions of the development site and surrounding area and to re-providing the canopy that is proposed to be lost. It is welcomed that large sized planting pits, accommodating large sized trees both on site and off site are being proposed. The retention of three of the Plane trees at the front is welcomed and the proposed replanting would provide increased species diversity, whilst also delivering sustainable and successional planting.

- 11.45 On top of the replacement trees proposed on site, a number of new trees are proposed across three new sites across Clerkenwell. In St John Street, Warner Street and Britton Street which are all locations which would accommodate and benefit from new trees. The St John Street scheme in particular has the potential to provide a planting scheme that would make a significant improvement to the area and would allow for very large canopy trees to be planted in advanced designed tree pits. It can be confirmed that a sound approach to feasibility has been applied and the future maintenance of the trees within the application site would be secured by condition (*condition 5 and 6*) as well as within the section 106 agreement to ensure their survival and future potential.
- 11.46 Overall the proposed scheme would deliver increased tree canopy as well as advanced tree pit designs that should provide good quality, healthy and large canopy trees that have an increased future potential. Whilst the loss of TPO trees is in conflict with the aims of Development Management Policy DM6.5, the quality and size of the proposed replacement trees as well as the urban design logic behind moving the building line forward, provides sufficient justification to make an exception in this instance. The planning application, due to its high quality landscaping, planting scheme and replacement canopy cover is considered to be consistent with Policy 7.21 of the London Plan and Islington Core Strategy CS15.

Neighbouring Amenity

- 11.47 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. In this regard, the proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality.
- 11.48 Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing. In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.

- 11.49 Daylight: The loss of daylight can be assessed by calculating the Vertical Sky Component (VSC) which measures the daylight at the external face of the building. Access to daylight is considered to be acceptable when windows receive at least 27% of their VSC value or retain at least 80% of their former value following the implementation of a development. The parameters of window size, glass transmissivity, room size and internal surface reflectance are then evaluated against the VSC for the window location to get the resulting average daylight factor (ADF). Whilst ADF is not the ordinary daylight test and normally used for assessing proposed developments' daylight receipt, it nevertheless can provide supplemental information of the likely impacts.
- 11.50 Daylight is also measured by the no sky-line or daylight distribution contour which shows the extent of light penetration into a room at working plane level, 850mm above floor level. If a substantial part of the room falls behind the no sky-line contour, the distribution of light within the room may be considered to be poor. A similar approach is adopted here in that a reduction to below 80% of the daylight distribution would constitute a noticeable and often unacceptable impact.
- 11.51 The loss of daylight to the neighbouring properties along Crawford Passage has been raised as an objection by several local residents. These residential properties are also in closest proximity to the application site so this requires closer scrutiny. In terms of the Vertical Sky Component, the most affected property would maintain 85% of its existing daylight (VSC and no-sky line). Given the tiered nature of the rear elevation and the fact that the parapet height of the proposed building would not exceed that of the existing building, it is clear that the building has been carefully designed to minimize impact on these adjoining neighbours.
- 11.52 The properties along Ray Street and Herbal Hill that are in closest proximity to the application building are all in office use and thus are not subject to the same protection as properties in residential use. So while some of the windows and rooms within Nos. 1, 5-7, 11 Ray Street and 1 and 2 Herbal Hill would suffer moderate levels of daylight loss, it would not result in a loss of amenity to local residents. The only other affected residential property is that of Kamen House on the opposite side of Farringdon Road. The property is in use as student accommodation and contains a number of windows to habitable rooms that overlook the application site. Due to the design of the building, a number of windows already experience poor daylighting as they are considerably recessed so that the building itself causes an obstruction to daylight. Whilst these windows would experience a reduction in their daylight, student accommodation is considered temporary accommodation with not the same levels of protection as permanent habitable accommodation.
- 11.53 Sunlight: In terms of sunlight, a window may be adversely affected by a new development if a point at the centre of the window receives in the year less than 25% of the annual probable sunlight hours including at least 5% of annual probable sunlight hours during the winter months and less than 0.8 times its former sunlight hours during either period. It should be noted that BRE guidance advises that sunlight is only an issue to a neighbouring

property where the new development is located within 90 degrees of due south.

- 11.54 All of the surrounding properties have been assessed and it can be confirmed that while some of the windows to habitable rooms along Crawford Passage would experience some losses of sunlight hours, the losses would not be considered significant. No other neighbouring residential properties would be affected in terms of loss of sunlight. Again, the design of the proposed building, particularly the set-back top floors and the tiered rear elevation, would protect the amenities of neighbouring residential properties.
- 11.55 Overlooking / Privacy – Policy DM2.1 identifies that *‘to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy’*. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For instance where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm. Habitable rooms provide the living accommodation of the dwelling. Habitable rooms are defined as any room used or intended to be used for sleeping, cooking, living or eating purposes. Enclosed spaces such as bath or toilet facilities, service rooms, corridors, laundries, hallways, or similar spaces are excluded from this definition. However, service/utility/store rooms larger than 8sqm within single dwellings will normally be considered as habitable rooms.
- 11.56 The proposal brings the rear building line in closer proximity to the neighbouring residential properties along Crawford Passage. At its closest point, the building itself comes to within 8 metres of the corner of 2-3 Crawford Passage. However, in terms of window-to-window distances, there is not considered to be any unacceptable overlooking or breach of privacy. That being said, a number of proposed roof terraces on 1st and 2nd floor would be within 18 metres of a number of windows within Nos. 1 and 2-3 Crawford Passage. While the overlooking would be across an existing highway, it is considered reasonable to ensure that overlooking is minimised to ensure residents’ privacy is maintained. As such, the applicants have proposed additional screening to these terraces and a condition would be attached to any permission in the event that consent is granted to ensure that suitable screening is implemented (*condition 22*).
- 11.57 Noise: In terms of noise, a noise survey was carried out at the site between the 15th and 17th March 2015 to assess existing noise levels in the area. It was determined that the average noise levels across the site were generally dictated by road traffic on Farringdon Road and from the surrounding area. Air and rail traffic noise were also present however both were generally insignificant considering the noise generated from the road traffic.
- 11.58 The potential noise from mechanical plant on the proposed building was identified as one of the main sources of noise during the operational phase of development. There is also mechanical plant proposed at lower ground floor level and at a roof level. In order to mitigate any noise impacts from

plant room, permission would be subject to conditions regulating noise transfer so that noise is kept to below existing background noise levels (*condition 21*).

- 11.59 While noise levels generated by the office spaces are not considered to be significant, there are retail and café uses at ground and lower ground floor level that have the potential of contributing to noise emissions to the detriment of residential amenity. It is important for these noise impacts to be tightly controlled and as such any permission would be subject to a condition (*condition 30*) which ensures that high acoustic performance separating walls are used on the external envelope of the building. Furthermore, noise limits would be imposed on commercial tenants and hours of operation would be controlled so as to reduce impact on neighbours (*condition 29*).
- 11.60 The delivery and servicing arrangements also have the potential of contributing to a noisy environment. As such, servicing and delivery will be limited to certain hours of the day and a servicing and delivery management strategy will ensure that a sensitive approach is upheld for the lifetime of the development (*condition 14*). Subject to these conditions being imposed, it is not considered that the application is likely to have an adverse impact on the neighbouring residential occupiers in terms of noise, sunlight/daylight, overlooking or privacy.

Air Quality

- 11.61 The issue of air quality has been raised by a number of residents. In particular, residents are concerned that the removal of the existing London Plane trees along the site's frontage would exacerbate existing air quality and pollution issues along Farringdon Road. This is a valid point and deserves further scrutiny. In relation to air quality, London Plan Policy 7.14 seeks to minimise increased exposure to existing poor air quality and make provision to address local problems of air quality.
- 11.62 The removal of 7 of the existing London Plane trees along the Farringdon Road frontage would indeed reduce local capacity for trapping or removing air pollutants. London Plane trees are particularly adept at absorbing pollutants through their bark and their leaves and their presence in London is invaluable in keeping London's air clean. The London Plane is also quite effective at trapping smaller particular pollutants such as PM 2.5 that pose a more significant health risk than larger particles. However, there are a number of other issues to be considered in order to ascertain whether the proposal does indeed exacerbate air pollution, particularly in consideration of the replacement tree species being proposed.
- 11.63 A growing body of research has shown the importance of selecting the right type, size and location of trees in order to counter air quality impacts. In particular, the evidence suggests that trees should be selected in order to prevent bridging over the street as this can prevent dispersal of pollutants. A mixture of shorter vegetation and larger trees can help distribute polluted air more effectively by stopping it from circulating in the street and preventing fumigation. In effect, the right balance has to be found between

what is known as deposition (the process by which particles deposit themselves on surfaces) on the one hand and air dispersal on the other.

- 11.64 On a related but separate point, one of the biggest air quality impacts from trees is the increased separation between pedestrians and road traffic, which reduces direct exposure. If this separation is maintained and suitable replacement trees are chosen to mitigate the loss of the existing trees, then there is unlikely to be real or quantifiable air quality impact.
- 11.65 While three of the largest London Planes canopies are being retained, a number of replacement trees are also proposed which would need to be carefully chosen in order to reduce air pollution. Trees most effective at particle deposition depend on a number of factors including leaf area, leaf size and the texture of the leaves with big, ridged, hairy leaves most effective in capturing particulate pollutants. A number of Birch and Alder trees, which are known for their effectiveness in reducing pollution, are proposed along Farringdon Road and Crawford Passage. Further details of tree species proposed should be provided in order to ensure that the most appropriate trees are chosen in order to protect air quality. As such, in the event of planning permission being granted, a condition requiring further details of tree species would be applied (*condition 5*).
- 11.66 The tree species and size of trees chosen would aid both air dispersal and deposition. Crucially, the proposed landscape strategy would maintain the separation between pedestrians and traffic. In summary, subject to a condition requiring further details on replacement tree species to ensure air quality is maintained, the proposal is not considered to have an impact on air quality. Permission would also be subject to a condition requiring the trees to be maintained and replaced if necessary over a 5 year period. As such, the proposal is considered to comply with the aims and objectives of London Plan Policy 7.14.

Accessibility

- 11.67 The relevant policies are 7.2 of the London Plan 2015 and Development Management Policy DM2.2, which seeks inclusive, accessible and flexibly designed accommodation throughout the borough. The London Plan Policy requires all new development in London to achieve the highest standards of accessible and inclusive design, by ensuring that developments: (i) can be used safely, easily and with dignity by all members of society; (ii) are welcoming and convenient with no disabling barriers, (iii) are flexible and responsive to peoples' needs and (iv) are realistic, offering more than one solution to future users.
- 11.68 Islington's Development Management Policies require all developments to demonstrate that they provide for ease of and versatility in use; that they deliver safe, legible and logical environments and produce places and spaces that are convenient and enjoyable to use for everyone. Any development needs to be assessed against this policy background to ensure that they are genuinely inclusive from the outset and remain so for the lifetime of the development.

Public Realm:

- 11.69 The Design & Access Statement describes the open space, not as a 'square' but as 'part of the interconnected public realm'. Given this ambiguity, it is essential from an inclusive design point of view to ensure the space is legible and logical and to make a clear distinction between place and route. To that end, the retention of a kerb along Crawford Passage and street furniture aligned to maintain clear unobstructed routes is welcomed. It is also welcomed that delivery trucks can turn within the site and so leave in a forward gear and that the crossover is highlighted with tactile paving.
- 11.70 The level changes across the site present a real challenge and a real attempt has been made to rationalise and resolve them. The change in levels at the steps to the south west corner of the site is 330mm while the pavement on the Ray Street side of the retaining wall will be kept at existing levels. A 'sitting wall' is proposed as a means of addressing the level difference between café forecourt and footway. This is welcome, because it steers pedestrians away from and around the café seating.
- 11.71 The route along the Farringdon Road facade is not segregated from the wider footway areas, and the footway stretches from facade to the kerb, which is welcome from an inclusive design point of view. However, there are a number of objects between this route and the public pavement, such as trees, planting strips and cycle stands. Between these there are several opportunities to move between the strip along the facade and the public footway for pedestrians. In each case these transitions are unobstructed and deal with the small level changes through gradual falls of no more than 1:40.

Travel and transport:

- 11.72 The application is supported by an Accessible Parking Strategy which identifies six car parking spaces in the vicinity of the site which could be converted to accessible parking bays. A contribution towards their provision would be required the detail of which would be contained within the section 106 agreement.
- 11.73 Step free access to the cycle storage facility is provided, which is welcome. Space has been allocated for the use of ambulant disabled cyclists with circulation zones adjacent: 2150 x 2000mm to the south, 2050 x 1800mm to the east. These zones are shared with the general cycle parking circulation. The provision of an accessible WC/shower in the basement is welcome. The accessible WC/shower room has dimensions as per the Approved Document (Part) M diagram 24. The provision of a facility for the storage and charging of mobility scooters is welcome. The precise details of this provision would be secured by condition (*condition 17*).

Entrance:

- 11.74 While revolving doors are not normally accepted as they do not meet inclusive design criteria, the proposed specification and dimensions of the 'drum doors' are considered acceptable. The security gates appear to provide a clear opening width of around 800mm; 1000mm would be more

appropriate, given the fact that they are effectively an entrance. The specific detail of the security doors would be required by condition.

- 11.75 Subject to relevant conditions (*condition 17*), including further details on toilet facilities and fire escapes, the proposal is considered to meet the Council's inclusive design objectives in accordance with London Plan Policy 7.2 and Islington's Development Management Policy 2.2.

Energy and Sustainability

- 11.76 The London Plan (adopted July 2015) Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through energy efficient design, the use of less energy and the incorporation of renewable energy. London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 11.77 Islington's Core Strategy Policy CS10 'Sustainable Design' requires all developments to minimise on-site carbon dioxide emissions and sets an overall target for all development to achieve a 40% reduction in comparison with total emissions from a building that complies with Building Regulations 2006 (or a 27% reduction compared to a Building Regulations 2013 compliant building), unless it can be demonstrated that such a target is not feasible. The Policy would require a 50% reduction (or 39% reduction compared to a Building Regulations 2013 compliant building) if connection to a local District Heat Network were feasible. The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. The Energy Statement does not propose connection to a District Energy Network in the short to medium term, as there is not a suitable network within 500m. It suggests that the site is on the periphery of opportunity areas, with little likelihood of imminent connection. However, the south of the borough continues to hold the highest potential for connections and as this is close to opportunity areas, it is important to future-proof for potential connection
- 11.78 The applicant proposes a reduction of 30.6% on total emissions, against a 2013 building regulations baseline, through energy efficiency measures, a Combined Heat and Power system (CHP) and renewable energy measures. The development is also expected to meet the London Plan target of a 35% reduction on regulated emissions. Solar photovoltaics have been identified as providing the most viable and appropriate form of on-site renewable energy. Details of PV panels and their orientation, mounted angle and the practicalities of installation and maintenance will be required by condition (27).
- 11.79 In accordance with the Council's Zero Carbon Policy, the council's Environmental Design SPD states "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution". The Environmental Design SPD

states “The calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement.” The energy statement shows final total CO2 emissions of 418.4 tonnes.

- 11.80 Based on this and the current Islington rate of £920 / tonne, the development will be subject to an offset payment of £384,946. The applicants have confirmed their agreement to this contribution and this will be secured by section 106 agreement. All of the energy efficiency and carbon reduction measures are contained within the applicant’s Sustainable Design and Construction Statement and would be secured by condition (*conditions 8 – 11*).
- 11.81 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires for development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details and specifics are provided within Islington’s Environmental Design SPD, which is underpinned by the Mayor’s Sustainable Design and Construction Statement SPG.
- 11.82 Development Management Policy DM7.4 requires the achievement of BREEAM ‘Excellent’ on all non-residential major development. Major developments are also required to comply with Islington’s Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards. The applicants have committed to provide a BREEAM ‘Excellent’ building, with an aspiration to achieving ‘Outstanding’. The achievement of all BREEAM credits for water efficiency is supported, as is the use of low flow fixtures and fittings proposed.
- 11.83 The commitment to target 50% of materials credits under BREEAM is policy compliant while the commitment to exceed 10% value materials from recycled material content is supported. A commitment to divert 85% from landfill is also supported. The applicants are encouraged to sign up to the Considerate Constructors Scheme and are required to comply with Islington’s Code of Construction Practice. The above measures would be secured by section 106 agreement or planning condition.
- 11.84 Biodiversity based extensive substrate green roofs with a minimum substrate depth of 80-150mm should be provided on all available roof space. The amount of green roof has been extended since the initial proposal and further details of species and substrate depths would be required by condition. The green roof would contribute towards reducing water run-off rates and the application also proposes underground attenuation storage in order to enhance on-site attenuation. However, more should be done to maximize sustainable methods of water attenuation that do not rely on hard solutions. Further details as well as a management and maintenance strategy will be required by condition (*condition 9*). Finally, the submitted draft Green Performance Plan is supported and would be included as part of the section 106 agreement.

- 11.85 Subject to appropriate conditions, the energy and sustainability measures proposed as part of this application are considered to meet the environmental objectives of the Council in accordance with London Plan Policies 5.1, 5.2 and 5.5, Islington Core Strategy Policy CS10, Development Management Policy DM7.1 as well as the aims and objections of Islington's Environmental Design SPD.

Highways and Transportation

- 11.86 The application site is in a central London location, with very good links to public transport and a Public Transport Accessibility Level of 6b, the highest rating. The existing office building includes a service and delivery yard with loading bays, car parking facilities and vehicle access from Crawford Passage.
- 11.87 London Plan Policy 6.3 states that proposals should ensure that impacts on transport capacity and the transport network are fully assessed. Moreover Policies 6.9 and 6.10 state that the Mayor will work with all relevant partners to bring about a significant increase in cycling as well as walking across London.
- 11.88 Development Management Policy DM8.1 requires the design of developments to prioritise the transport needs of pedestrians, public transport users and cyclists above those of motor vehicles. Policy DM8.2 requires development to meet its own transport needs in a sustainable manner, while Policy DM8.5 states that vehicle parking will only be allowed for non-residential developments where it is essential for the operation of the business and need has been demonstrated.
- 11.89 The site is located on Farringdon Road within walking distance to Farringdon station. The site's high PTAL rating means that those travelling to and from the site are expected to use sustainable modes of transport. As such, the proposed development would be car-free which is supported by policy. A Transport Assessment has been submitted with the application which shows that the increase in office floorspace proposed would result in an increase in AM peak hour traffic from 259 trips to 322 trips and in PM peak hour traffic from 277 trips to 343 trips. It is expected that 71% of the person arrivals and departures to/from the building would be expected to travel predominantly by underground tube or train.
- 11.90 In terms of cycle parking provision, a total of 136 cycle parking spaces would be provided for office employees with a further 9 spaces provided for employees of the non-office uses (*condition 14*). On top of that, a further 24 cycle parking spaces would be provided for visitors to the new building. This provision is in accordance with policy and would provide a sufficient level of alternative sustainable modes of transport. In addition to this, a dedicated area for mobility scooters would be provided.
- 11.91 The application proposes to remove the existing service yard and vehicle access to the site as well as all car parking from the site. All servicing and delivery is proposed at a new location within the building with access provided to it from a new vehicular entrance further up Crawford Passage. A

new turning table is proposed to facilitate access and exit in forward gear. This would be in accordance with DM Policy 8.6 which states that provision for delivery and servicing should be provided off-street with vehicles entering and exiting the site in forward gear.



Existing refuse arrangements

- 11.92 The likely number of vehicles requiring access to the site has been modelled for the proposed building, based on other similar sites across London. An estimated 17 daily vehicle trips for the office floorspace and 7 vehicle trips for the non-office floorspace is predicted for the new building. Three of these vehicles would be HGV refuse vehicles, which would service the site on-street for the purpose of waste collection as is currently done for the refuse collection along Crawford Passage.
- 11.93 The remaining 21 vehicle trips would use the on-site service yard and would enter and reverse in forward gear. A swept path analysis has been submitted with the application which shows how the vehicles would successfully enter and exit the service yard. A Deliveries & Servicing Management Plan (DSMP) has also been submitted which identifies a series of measures in order to minimise the impact of the proposal. In terms of management and implementation of the DSMP, it is proposed that a representative of the building management based on site would be nominated to assume these responsibilities.
- 11.94 Through coordination with the tenants occupying the office and non-office floorspace, the servicing events or vehicle movements will be undertaken solely between 7am-12pm and 2pm-7pm with an aspiration to avoid vehicle movements during rush hour traffic. This would be reinforced and regulated through the adoption of a timetabling and booking system. All tenants and management representatives would be obliged to follow the DSMP management arrangements and this be secured as part of the section 106 agreement.
- 11.95 The proposal meets the objectives of Core Strategy Policy CS10, which aims to encourage sustainable transport choices by maximising opportunities for walking, cycling and public transport use. This is further reinforced by Development Management Policy DM8.2, which requires new

developments to maximise safe, convenient and inclusive accessibility to, from and within developments for pedestrians, cyclists and public transport users. Though the proposal meets these objectives in principle, further details regarding site management arrangements would be required by condition to ensure anti-social behaviour is prevented and the space is both functional and attractive.

- 11.96 The proposal would not give rise to any unacceptable impacts on transportation or the highway network and is considered to be acceptable, in accordance with relevant Islington Core Strategy Policy CS10 and Development Management Policies DM8.2 and DM8.6 subject to conditions (*condition 17*) and clauses within the s106 legal agreement.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 11.97 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development. This means that the measures required to mitigate the negative impacts of this development in terms of carbon emissions, lack of accessible parking spaces and local accessibility cannot be funded through Islington's CIL. Separate contributions are therefore needed to pay for the necessary carbon offset, accessible transport, highway reinstatement and local accessibility investment required to ensure that the development does not cause unacceptable impacts on the local area.
- 11.98 None of the financial contributions included in the heads of terms represent general infrastructure, so the pooling limit does not apply. Furthermore, none of the contributions represent items for which five or more previous contributions have been secured.
- 11.99 The carbon offset and accessible transport contributions are site-specific obligations, both with the purpose of mitigating the negative impacts of this specific development. The carbon offset contribution figure is directly related to the projected performance (in terms of operation emissions) of the building as designed, therefore being commensurate to the specifics of a particular development. This contribution does not therefore form a tariff-style payment. Furthermore, in the event that policy compliant on-site accessible car parking spaces had been provided by the development (or other accessibility measure) a financial contribution would not have been sought. Therefore this is also a site-specific contribution required in order to address a weakness of the development proposal, thus also not forming a tariff-style payment.
- 11.100 The public realm improvements and highway and footway reinstatement requirement is also very clearly site-specific. The total cost will partly depend on the damage caused by construction of this development, and these works cannot be funded through CIL receipts as the impacts are directly related to this specific development.
- 11.101 None of these contributions were included in Islington's proposed CIL during viability testing, and all of the contributions were considered during public examination on the CIL as separate charges that would be required in cases

where relevant impacts would result from proposed developments. The CIL Examiner did not consider that these types of separate charges in addition to Islington's proposed CIL rates would result in unacceptable impacts on development in Islington due to cumulative viability implications or any other issue.

National Planning Policy Framework

- 11.102 Paragraph 17 of the NPPF sets out 12 core planning principles that should underpin decision-taking. The current proposal is strong in relation to the principles relating to the reuse of land, and encouraging walking. Subject to conditions and the necessary S106 agreement, the proposed development is also largely in compliance with the principles relating to climate change, and the conservation and enhancement of the natural environment.
- 11.103 In the final balance of planning considerations officers have also considered the proposal in the context of the presumption in favour of sustainable development set out in the NPPF.

12. SUMMARY AND CONCLUSION

Summary

- 12.1 The application site is located on the western side of Farringdon Road, between Ray Street, Crawford Passage and Dabb's Lane and is situated within the Clerkenwell Green Conservation Area. The area has a special character and appearance, which stems from its mix of uses, its architecture and its history. The site is occupied by a 7-storey office building dating from the 1970s, formerly occupied by the Guardian newspaper media group and most recently occupied by a theatre company. The existing building is higher than its surrounding buildings, does not follow the typical architecture of the street and offers very little in terms architectural merit.
- 12.2 The application proposes the demolition of the existing office building and redevelopment of the site to provide an 8 storey (plus lower ground floor) building with office use (Class B1) at part lower ground, part ground and upper floors and flexible commercial uses (Class A1,A3,D1) at part lower ground and part ground floor level along with associated landscaping and a new area of public realm. The proposal also includes servicing and delivery space, plant room, cycle storage facilities and accommodates the substation at lower ground floor level. Further plant room and affordable workspace suitable for SMEs is located at ground floor level.
- 12.3 The land-use element of the proposal is considered to be acceptable through delivering a thoroughly mixed-use development that would increase and improve the existing office (B1a) floorspace on the site, increase the amount of retail floorspace, provide for SMEs and contribute to the borough's housing stock by making a financial contribution towards the delivery of affordable housing.

- 12.4 The proposal is considered to be of the highest quality in terms of architecture and urban design. The architecture proposed would make a positive contribution to a coherent public realm, streetscape and wider cityspace and would enhance and protect Islington's built environment. As such, the application is considered to reinforce the borough's unique character by reintroducing more traditional street patterns and adopting traditional and contextual materials and articulation. The application is thus considered to be in accordance with London Plan Policy 7.6, Islington Core Strategy Policy CS7 and Islington's Development Management Policy DM2.1.
- 12.5 The planning application, due to its high quality landscaping, planting scheme and replacement canopy cover is considered to be consistent with Policy 7.21 of the London Plan and Islington Core Strategy CS15. While the proposal to remove some of the TPO trees on site is contrary to Development Management Policy 6.5, an exception can be made in this instance, due to the quantity and quality of the replacement trees proposed.
- 12.6 The proposal is not considered to have an unacceptable impact on neighbouring amenity in terms of loss of sunlight, daylight, privacy, air quality or an increased sense of enclosure. The replacement trees proposed are considered to contribute positively to air quality in the local area. Finally, the application proposes a sustainable building in a highly sustainable location that would effectively reduce future carbon emissions through the use of energy efficiency measures, clean and renewable energy and sustainable design methods.

Conclusion

- 12.7 The planning application delivers a well-designed and attractive commercial building that complies with local, regional and national planning policy and guidance. It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the Committee resolve to GRANT planning permission subject to any **direction by The Mayor to refuse the application or for it to be called in for determination by the Mayor of London.** Therefore, following the Council's resolution to determine the application, the application shall then be referred to the Mayor of London in accordance with Article 5 of the Town and Country Planning (Mayor of London) Order 2008 – allowing him 14 days to decide whether to:

- a. allow the draft decision to proceed unchanged; or
- b. direct the Council under Article 6 to refuse the application; or
- c. issue a direction under Article 7 that he is to act as the Local Planning Authority for the purpose of determining the application.

RECOMMENDATION B

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

1. The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Condition surveys may be required.
2. The repair and re-instatement of the footways and highways of any of the TfL road network.
3. Compliance with the Code of Employment and Training.
4. Facilitation of 13 work placements during the construction phase of the development. Each placement must last a minimum of 26 weeks.
5. Compliance with the Code of Local Procurement.
6. Compliance with the Code of Construction Practice, including a monitoring fee of £12,897.
7. The provision of 6 accessible parking bays or a contribution of £12,000 towards bays or other accessible transport initiatives.
8. A contribution of £384,946 towards offsetting any projected residual CO2 emissions of the development.
9. Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect).
10. Submission of a Green Performance Plan.
11. Submission of a draft framework Travel Plan with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase.

12. Payment towards employment and training for local residents of a commuted sum of £16,496.
13. A contribution towards Crossrail of £443,360.
14. A contribution towards provision of off-site affordable housing of £185,360 where it is accepted that housing cannot be provided on site.
15. The off-site provision of new trees at three separate locations across Clerkenwell.
16. The delivery of public realm improvements around the site.
17. Submission of a final Delivery and Servicing Management Plan.
18. Provision of 451sqm of affordable workspace which shall be occupied by companies and organisations as per a nomination and approval mechanism to be agreed with the council.
19. A financial contribution of £82,992 towards cycle docking infrastructure in the vicinity of the site.
20. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.
21. Others as necessary.

All payments to the Council are to be index linked from the Committee Date and are due upon implementation of the planning permission.

The above list of Heads of Terms may be amended as a result of a process of internal consultation or further issues arising in the course of the application. Solicitors details will be needed, proof of title and an undertaking to meet the reasonable legal fees of the council.

That, should the **Section 106** Deed of Planning Obligation not be completed within the Planning Performance Agreement timescale from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION C

That the grant of planning permission be subject to **conditions** to secure the following:

List of Conditions:

1	Commencement (Compliance)
	CONDITION: The development hereby permitted shall be begun not later than

	<p>three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved plans list (compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans unless otherwise agreed in writing by the Local Planning Authority:</p> <p>Drawing Numbers 001.001; P001P01; Existing Plans P002P01; P010P01; P011P01; P012P01; P013P01; P014P01; P015P01; P050P01; P051P01; P052P01; P053P01; P201P01; P211P01; P212P01; P2013P01 Proposed Plans P100P01; P101P01; P102P01; P103P01; P104P01; P105P01; P106P01; P107P01; P108P01; P109P01; P110P01; P221P01; P231P01; P232P01; P233P01; A(21)_6006Rev 1; P234P01; P311P02; P332P01; P333P01; P334P02; P401P01; P402P01.</p> <p>Accessible Parking Strategy TPHS/039/TN03;</p> <p>Daylight and Sunlight Report by GIA dated December 2015;</p> <p>Health Impact Assessment dated 8th October 2015;</p> <p>Air Quality Assessment by Air Quality Consultants dated September 2015;</p> <p>Arboricultural Assessment Report by ACS dated September 2015;</p> <p>Assessing the Suitability of Tree Species for Urban Use in Mitigating Air Pollution by Grontmij dated September 2015;</p> <p>Delivery and Servicing Management Plan (Draft) by TPHS dated September 2015;</p> <p>Design and Access Statement by Allford Hall Monaghan Morris dated September 2015;</p> <p>Ecological Appraisal by Grontmij dated September 2015;</p> <p>Full Travel Plan (Draft) by TPHS dated September 2015;</p> <p>Ground Investigations Report by Soiltechnics dated September 2015;</p> <p>Historical Environment Assessment by MOLA dated September 2015;</p> <p>Noise Impact Assessment by Cass Allen dated September 2015;</p> <p>Planning Statement by Gerald Eve dated September 2015;</p> <p>Statement of Community Involvement dated September 2015;</p> <p>Sustainable Design and Construction Statement – Including Energy Statement by Grontmij dated September 2015;</p> <p>Transport Assessment by TPHS dated September 2015;</p> <p>Townscape, Visual Impact and Heritage Assessment by Peter Stewart Consultancy dated September 2015;</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials and Samples (Details)*</p> <p>CONDITION: Details of facing materials including samples shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details and samples shall include:</p> <p>a) brickwork, bond and mortar courses;</p>

	<p>b) metal cladding, panels, frames and architectural metalwork (including details of seams, gaps, and any profiling);</p> <p>c) windows and doors;</p> <p>d) entrance and access gates;</p> <p>e) roofing materials;</p> <p>f) any other materials to be used on the exterior of the development; and</p> <p>g) a Green Procurement Plan for sourcing the proposed materials.</p> <p>The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	External pipes, cables and CCTV (Compliance/Details)
	<p>CONDITION: No cables, plumbing, down pipes, rainwater pipes, foul pipes or CCTV cameras or related equipment and installations shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should CCTV or additional cables, pipes be considered necessary the details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard.</p>
5	Landscaping (Details)*
	<p>CONDITION: Notwithstanding the plans hereby approved, details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site (excluding demolition and piling). The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:</p> <p>a) a scaled plan showing vegetation to be retained and trees and plants to be planted;</p> <p>b) specification to ensure successful establishment and survival of new planting.</p> <p>c) a schedule detailing sizes, species and numbers of all new trees/plants;</p> <p>d) a biodiversity statement detailing how the landscaping scheme maximizes biodiversity;</p> <p>e) existing and proposed underground services and their relationship to both hard and soft landscaping;</p> <p>f) soft plantings: including grass and turf areas, shrub and herbaceous</p>

	<p>areas;</p> <ul style="list-style-type: none"> g) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; h) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; i) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and j) any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed during the first planting season after the date on which development in accordance with this permission has been completed. This landscaping and tree planting must have a two year maintenance/ watering provision following planting. Trees or shrubs which die within five years of completion of the development shall be replaced to the satisfaction of the Local Planning Authority with the same species or an approved alternative.</p> <p>REASON: To ensure prior establishment and maturity of landscaping to enhance the visual amenity of the site. To avoid inappropriate excavations and damage to the trees, ensuring that disturbance to the roots of the tree is minimised and to maintain a healthy rooting area to ensure the long term health of the tree thereby its contribution to the amenity of the locality. In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2015, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013.</p>
6	<p>Arboricultural Method Statement (Details)*</p> <p>CONDITION: Prior to superstructure works commencing on site, an amended Arboricultural Method Statement in accordance with BS 5837, 2012 'Trees in Relation to Design, Demolition and Construction' shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement must include a revised plan showing the location of the tree root protection area (RPA) for the trees on the site and include the tree and ground protection to be erected and details of all works within the RPA including the careful hand demolition of the current building/ surface treatment and specify in detail any tree pruning work. The Method Statement must also include a schedule of monitoring by a suitably qualified arboricultural consultant or landscape architect detailing arboricultural supervision for the various operations that are likely to impact or influence the health, wellbeing or amenity value of the tree, the details of the site inspections are to be recorded and passed to the Tree Preservation Officer.</p> <p>REASON: To avoid inappropriate excavations and damage to the trees, ensuring that disturbance to the roots of the tree is minimised and to maintain a healthy rooting area to ensure the long term health of the tree thereby its contribution to the amenity of the locality.</p> <p>In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2015, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013.</p>

7	Terrace and Roof planting (Details)*
	<p>CONDITION: Notwithstanding the plans hereby approved, details of roof and terrace planting shall be submitted and approved in writing by the Local Planning Authority prior to the relevant part of the development commencing on site. The details shall include:</p> <ul style="list-style-type: none"> a) details of location, species and numbers of all new plants; b) a maintenance strategy to ensure successful long-term management of all terrace and roof planting. <p>REASON: To provide a satisfactory appearance to the development so as to safeguard and In the interest of biodiversity, sustainability, and to ensure a satisfactory standard of visual amenity.</p>
8	BREEAM and Code for Sustainable Homes (Compliance)
	<p>CONDITION: The development shall achieve a BREEAM New Construction rating (2011) of no less than 'Excellent' and shall use reasonable endeavours to achieve a rating of 'Outstanding'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
9	Green/Brown Biodiversity Roofs (Compliance/Details)*
	<p>CONDITION: Notwithstanding the plans hereby approved, details of green/living roofs to the development hereby approved (illustrating increased coverage and potential for run-off attenuation or including details and justification of the maximum extent of green/living roofs) and the species to be planted/seeded shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The green/living roofs shall:</p> <ul style="list-style-type: none"> a) form biodiversity-based roofs with extensive substrate bases (depth 80-150mm); b) cover at least all of the areas shown in the drawings hereby approved, confirmed by a location/extent plan; and c) be planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works. An explanation as to why any areas of roof would not be covered with green/living roofs shall be included with the above details. Green/living roofs shall be expected to extend beneath any photovoltaic arrays proposed at roof level. The green/living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
10	Flood Risk & Sustainable urban Drainage (Details)*

	<p>CONDITION: No development shall take place unless and until a detailed Sustainable Urban Drainage System (SUDS) scheme inclusive of detailed implementation and a maintenance and management plan of the SUDS scheme has been submitted to and approved in writing by the Local Planning Authority. Those details shall include:</p> <p>II. a timetable for its implementation, and</p> <p>II. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.</p> <p>No building(s) hereby approved shall be occupied unless and until the approved sustainable drainage scheme for the site has been installed/completed strictly in accordance with the approved details. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will aim to achieve a greenfield run off rate (8L/sec/ha) and at minimum achieve a post development run off rate of 50L/ha/sec.</p> <p>The scheme shall thereafter be managed and maintained in accordance with the approved details.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
11	<p>Energy Efficiency – CO2 Reduction (Compliance/Details)</p> <p>CONDITION: The energy measures as outlined within the approved Energy Strategy shall together provide for no less than a 30.6% on-site total C02 emissions reduction in comparison with total emissions from a building which complies with Building Regulations 2013.</p> <p>Should, following further assessment, the approved energy measures be found to be no longer suitable, a revised Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The revised energy strategy shall provide for no less than a 30.6% on-site total C02 reduction in comparison with total emissions from a building which complies with Building Regulations 2010.</p> <p>The final agreed scheme shall be installed and operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that the C02 emission reduction targets are met.</p>
12	<p>REFUSE / RECYCLING (Compliance)</p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p>

	<p>The refuse and recycling enclosures and waste shall be managed and carried out at all times in accordance with the details of the approved 'servicing and waste management plan'.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
13	Cycle Parking (Compliance)
	<p>CONDITION: The three bicycle storage areas hereby approved shall be covered, secure and provide for no less than:</p> <ul style="list-style-type: none"> - 136 cycle spaces for the offices - 9 cycle spaces for the non-office - 24 cycle spaces for visitors (uncovered) <p>These spaces shall be provided prior to the first occupation of the relevant part of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
14	Loading / unloading hours (Compliance)
	<p>CONDITION: Deliveries, collections, unloading, loading of the commercial uses shall only be between the following hours:</p> <p style="text-align: center;">Monday to Saturday – 07:00 – 19:00 Sundays/Bank Holidays – not at all</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
15	Maintain public access through the site (Compliance)
	<p>CONDITION: The area of public realm shown on Public Realm Proposal plan 001.001 shall remain open at all times unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure the development does not compromise pedestrian movement through the site.</p>
16	Inclusive Design (Details)*
	<p>CONDITION: The development shall be designed in accordance with the principles of Inclusive Design. To achieve this, the following further details shall be submitted and approved in writing by the Local Planning Authority prior to superstructure works commencing on site:</p> <ul style="list-style-type: none"> - details of wheelchair accessible WC and shower facilities; - location and details of mobility scooter storage and charging facilities; - details of security gates; - further details of fire evacuation lifts. <p>The development shall be constructed carried out strictly in accordance with the</p>

	<p>details so approved, shall be maintained as such thereafter.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
17	Security & General Lighting (Details)*
	<p>CONDITION: Details of any external general or security lighting (including full specification of all luminaries, lamps and support structures) shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on the site.</p> <p>The details shall be installed and operational prior to the first occupation of the development hereby approved and maintained as such permanently thereafter.</p> <p>REASON: In the interest of protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill.</p>
18	Amalgamation of Retail and Office Units (Compliance)
	<p>CONDITION: The ground floor retail (use class A1, A3, D1) and B1 office units hereby approved shall be laid out as shown on the drawings hereby and shall not be amalgamated or separated without prior written approval of the Local Planning Authority.</p> <p>REASON: The amalgamation of units would result in units of a size that may be less affordable to small and start-up businesses that are specifically aided in the design of these proposals.</p>
19	Nesting Boxes (Details/Compliance)
	<p>CONDITION: At least four nesting boxes for birds or bats shall be provided within the development, installed prior to the first occupation of the building and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
20	Plant noise (Compliance)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq,T}$ arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90,Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:1997.</p> <p>The development shall be carried out strictly in accordance with the scheme so approved prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations</p>

21	Privacy Screening (Details)
	<p>CONDITION: Details of suitable screening or other design solution to prevent overlooking of neighbouring properties on Crawford Passage from terraces at levels 1 and 2 shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the balconies commencing.</p> <p>If suitable planting is agreed a maintenance strategy (in accordance with condition 7 part b) will ensure successful long-term management and maintenance of this thereafter.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved prior to first occupation, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To prevent overlooking of and loss of privacy to neighbouring residential properties, to ensure that the resulting appearance and construction of the development is to a high standard.</p>
22	Shopfronts (Details)*
	<p>CONDITION: Typical elevations of the shopfronts hereby approved at scale 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the works commencing.</p> <p>The shopfronts shall be carried out strictly in accordance with the elevations so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is of a high standard.</p>
23	Piling Method Statement (Compliance / details)*
	<p>CONDITION: No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: To ensure that works do not impact upon local underground water utility infrastructure, and to ensure that deformation of the ground by piling does not result in an increase in the risk of near-surface pollutants migrating to underlying aquifers. Previous industrial and/or commercial activities at this site may have resulted in contaminated soils and groundwater, the underlying groundwater is vulnerable to pollution and potential contamination must be investigated and a risk assessment.</p>
24	Vibration (Compliance)
	<p>CONDITION: Internal vibration levels shall not exceed the category of “low probability of adverse comment” in Table 7 of Appendix A of BS 6472:2008.</p>

	<p>REASON: To ensure that the development does not have an adverse impact on amenity and / or quality of business accommodation.</p>
25	<p>Construction Management (Details)*</p> <p>CONDITION: A Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The report shall also secure that, during any period when concurrent construction is taking place of both the permitted development and of the Crossrail structures and tunnels in or adjacent to the site of the approved development, the construction of the Crossrail structures and tunnels is not impeded.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets.</p>
26	<p>Roof-Level Structures (Details)*</p> <p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the development commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding area.</p>
27	<p>Lifts (Compliance)</p> <p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the office floorspace hereby approved.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the office floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
28	<p>Retail Opening Hours (Compliance)</p>

	<p>CONDITION: The ground floor retail/café/restaurant uses (A1,A3,D1) hereby approved shall not operate except between the hours of 07:00 and 23:30 on any day unless otherwise agreed in writing with the Local Planning Authority.</p> <p>Outdoor tables and chairs associated with the A1, A3, D1 uses at ground floor level shall be used between 8am – 10pm only unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure that the operation of the retail units do not unduly impact on residential amenity.</p>
29	Sound Insulation
	<p>CONDITION: Full particulars and details of a scheme for sound insulation for the retail / café / restaurant uses in the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works of the relevant phase of the development.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the relevant phase of development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that residential amenity of surrounding properties is appropriately minimised.</p>
30	Demolition and Construction
	<p>CONDITION: No demolition (excluding soft strip) shall take place unless and until a contract for the associated re-development of the site has been secured and evidence of such contract(s) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: To prevent premature demolition in a Conservation Area, in order to protect the heritage asset including the character and appearance of the designated heritage asset (conservation area) and prevent a gap site from occurring.</p>

List of Informatives:

1	S106
	<p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be:</p>

	when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions:</p> <p>These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	Sustainable Sourcing of Materials
	INFORMATIVE: Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.
5	Car-Free Development
	INFORMATIVE: All new developments are to be car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
6	Roller Shutters
	<p>ROLLER SHUTTERS</p> <p>The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.</p>
7	NPPF
	INFORMATIVE: The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages of the development to deliver an acceptable development in line with the NPPF.

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1 National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Since March 2014 Planning Practice Guidance for England has been published online.

2. Development Plan

The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.1 London in its global, European and United Kingdom context
Policy 2.2 London and the wider metropolitan area
Policy 2.3 Growth areas and co-ordination corridors
Policy 2.9 Inner London
Policy 2.10 Central Activities Zone – strategic priorities
Policy 2.11 Central Activities Zone – strategic functions
Policy 2.12 Central Activities Zone – predominantly local activities

3 London's people

Policy 3.1 Ensuring equal life chances for all
Policy 3.2 Improving health and addressing health inequalities
Policy 3.3 Increasing housing supply

6 London's transport

Policy 6.1 Strategic approach
Policy 6.2 Providing public transport capacity and safeguarding land for transport
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.4 Enhancing London's transport connectivity
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.7 Better streets and surface transport
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.12 Road network capacity
Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character

Policy 3.4 Optimising housing potential
Policy 3.10 Definition of affordable housing

4 London's economy

Policy 4.1 Developing London's economy
Policy 4.2 Offices
Policy 4.3 Mixed use development and offices
Policy 4.8 Supporting a successful and diverse retail sector
Policy 4.9 Small shops
Policy 4.11 Encouraging a connected economy
Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.5 Decentralised energy networks
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.15 Water use and supplies
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 5.21 Contaminated land

Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.11 London View Management Framework
Policy 7.12 Implementing the London View Management Framework
Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy
Policy 8.4 Monitoring and review for London

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS7 (Bunhill and Clerkenwell)
Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)

Policy CS13 (Employment Spaces)
Policy CS14 (Retail and Services)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
Policy CS19 (Health Impact Assessments)
Policy CS20 (Partnership Working)

C) Development Management Policies June 2013

Design and Heritage

- DM2.1** Design
- DM2.2** Inclusive Design
- DM2.3** Heritage
- DM2.4** Protected views
- DM2.5** Landmarks

Shops, culture and services

- DM4.1** Maintaining and promoting small and independent shops
- DM4.3** Location and concentration of uses
- DM4.6** Local shopping Areas
- DM4.8** Shopfronts

Employment

- DM5.1** New business floorspace
- DM5.4** Size and affordability of workspace

Health and open space

- DM6.1** Healthy development
- DM6.2** New and improved public open space
- DM6.5** Landscaping, trees and biodiversity
- DM6.6** Flood prevention

Energy and Environmental Standards

- DM7.1** Sustainable design and construction statements
- DM7.2** Energy efficiency and carbon reduction in minor schemes
- DM7.3** Decentralised energy networks
- DM7.4** Sustainable design standards
- DM7.5** Heating and cooling

Transport

- DM8.1** Movement hierarchy
- DM8.2** Managing transport impacts
- DM8.3** Public transport
- DM8.4** Walking and cycling
- DM8.5** Vehicle parking
- DM8.6** Delivery and servicing for new developments

Infrastructure

- DM9.1** Infrastructure
- DM9.2** Planning obligations
- DM9.3** Implementation

D) Finsbury Local Plan June 2013

- BC8** Achieving a balanced mix of uses
- BC9** Tall Buildings and contextual considerations for building heights
- BC10** Implementation

E) Site Allocations June 2013

Site BC43 Guardian Building – 119 Farringdon Road

3. Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- | | |
|--|---|
| - Central London Zone (CAZ) | - Protected Vistas (Parliament Hill & Kenwood to St. Pauls Cathedral) |
| - Archaeological Priority Area | - Adjacent to TLRN |
| - Clerkenwell Green Conservation Area | - Employment Priority Area (General) |
| - Cycle Routes (Local) | - Bunhill & Clerkenwell Core Strategy Key Area |
| - Farringdon/Smithfield Area of Intensification. | - Finsbury Local Plan Area |

4. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

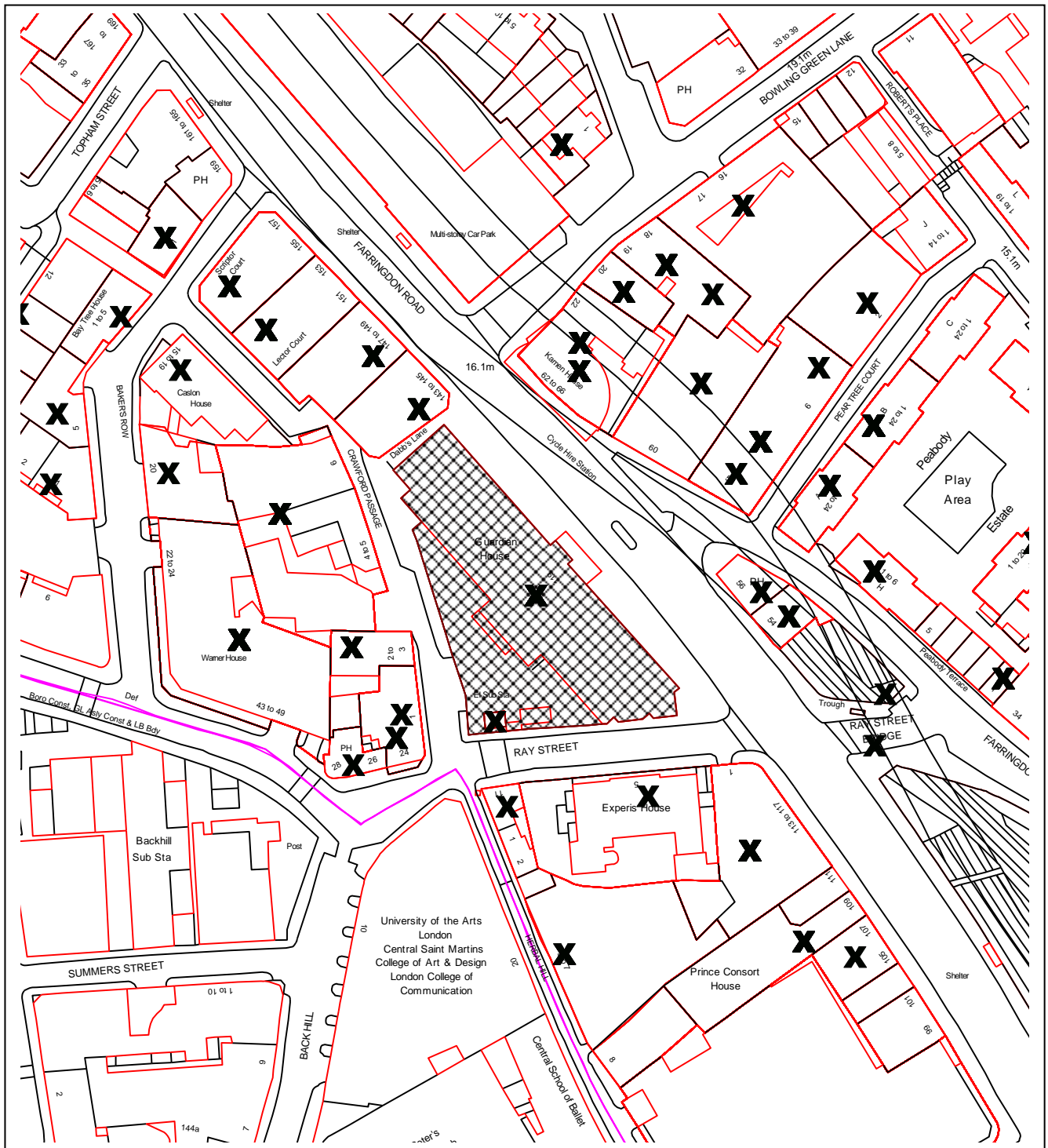
- Environmental Design
- Conservation Area Design Guidelines
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide

London Plan

- Accessible London: Achieving and Inclusive Environment
- Sustainable Design & Construction
- Planning for Equality and Diversity in London

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Islington SE GIS Print Template



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P2015/4143/FUL

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PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 3333
222 Upper Street
LONDON N1 1YA

PLANNING COMMITTEE	
Date:	19 th January 2016

Application number	P2015/3989/FUL
Application type	Full Planning Application
Ward	Caledonian
Listed building	No listed building on site. Adjacent to Grade II listed Caledonian Road Methodist Chapel
Conservation area	No.
Development Plan Context	Vale Road / Brewery Road Locally Significant Industrial Site
Licensing Implications	None
Site Address	423-425, 429-435 [odd] Caledonian Road; 1-11 Balmoral Grove; , 4-6 [even] Brewery Road & Grove House 1 Market Road, London, N1
Proposal	Demolition of all existing buildings on site to provide a mixed use development within new buildings ranging from 1-10 storeys; providing 252 residential units [use class C3]; flexible employment [use class B1a-c]; flexible retail [use class A1-A3]; and community [use class D1] floorspace; together with the creation of a new central vehicular and pedestrian access route through the site from Market Road to Brewery Road and associated highway works; basement car parking; cycle parking; creation of a new pedestrian access into the site from Caledonian Road; and provision of open space and associated works of hard and soft landscaping.

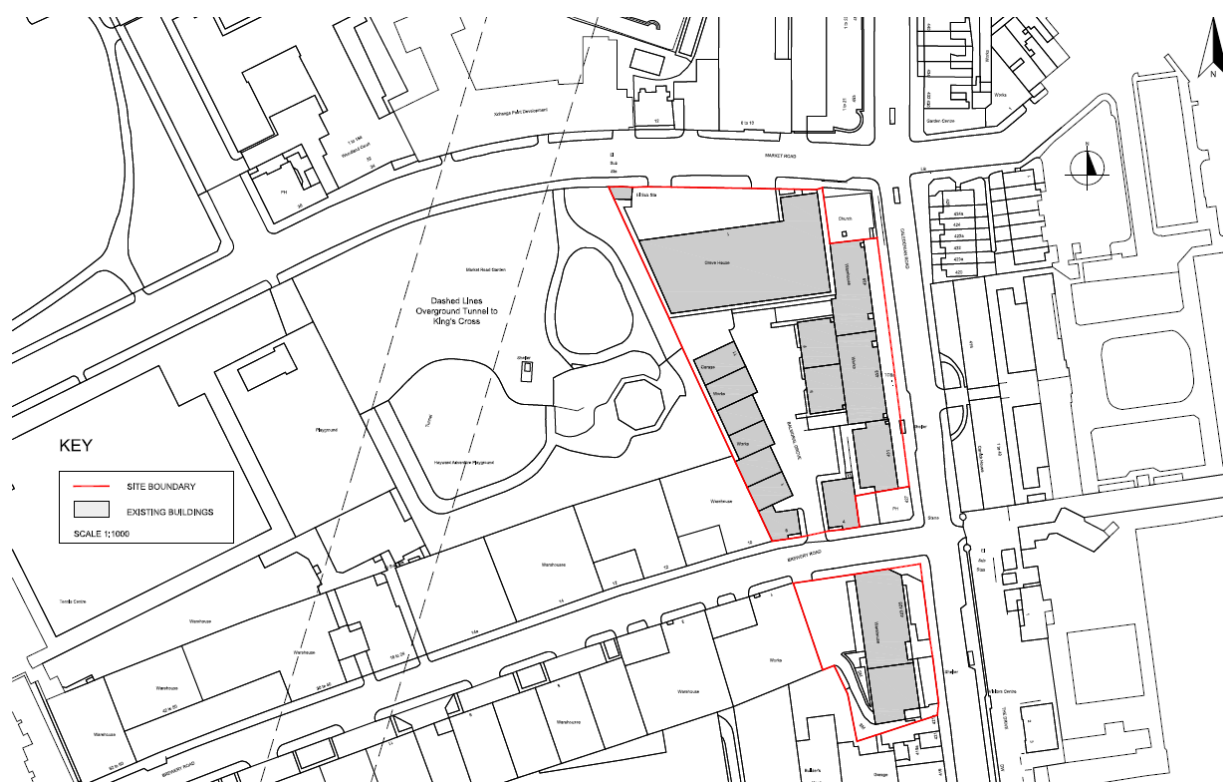
Case Officer	Simon Greenwood
Applicant	London Square [Caledonian Road] Ltd.
Agent	DP9 Limited - Mr Tim Holtham

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. subject to the conditions set out in Appendix 1; and
2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1;
3. subject to any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London.

2. SITE PLAN (site outlined in red)



3. PHOTOS OF SITE/STREET

Photograph 1: Aerial view of Site looking North



Photograph 2: Aerial view of wider Site context looking North



Photograph 3: Aerial view of Site looking West



Photograph 4: Aerial view of wider Site context looking West



Photograph 5: Site 1 - British Transport Police building from the north



Photograph 6: Site 2 – Caledonian Road frontage



Photograph 7: Site 2 - Balmoral Grove entrance on Brewery Road



Photograph 8: Site 2 from Market Road



Photographs 9 & 10: Grade II listed Caledonian Road Methodist Church (left) and locally listed 'Cally' public house (right), both which adjoin Site 2.



4. SUMMARY

- 4.1 The 0.89ha application site comprises 2 sites on the western side of Caledonian Road. Site 1 comprises a three storey office and storage building currently occupied by the British Transport Police. Site 2 comprises several industrial buildings in varying condition which are presently either vacant or occupied for a mixture of workshop, storage, office, training and industrial uses. It is considered that, overall, the existing buildings have a neutral or negative impact in character terms
- 4.2 The application proposes the redevelopment of the site to provide 252 residential dwellings including 102 units of affordable housing; 7,672m² (GIA) of employment floorspace (Use Class B1a-c) including affordable workspace; 569m² (GIA) of retail (Use Class A1/A2/A3) floorspace; 62m² (GIA) of community (Use Class D1) floorspace; basement car parking providing a total of 26 spaces; 540 long stay and 34 short stay cycle parking spaces; a publicly accessible route through the site and a double height pedestrian link from Caledonian Road; and hard and soft landscaping.
- 4.3 The proposal involves the introduction inappropriate uses, including housing, onto a Locally Significant Industrial Site (LSIS), which is designated for Use Class B1(c), B2 and B8 uses only. The proposal therefore represents a departure from Development Plan policy and raises significant concerns in this regard. There are further concerns relating to issues including building heights, loss of light at some nearby residential properties and the impact on trees within Market Road Gardens. However, the proposal will deliver significant benefits in planning terms that can be weighed in its favour, including 252 new dwellings with a substantial proportion (40.5% by units and 44.6% by habitable rooms) of affordable housing; an equivalent quantum of employment floorspace built to modern standards with the potential to support a significantly increased number of jobs and improvements to the character and appearance of the area including through a new area of landscaped public realm.
- 4.4 The proposal has been the subject of comprehensive pre-application discussions with Officers and, overall, is considered acceptable in design terms subject to conditions securing appropriate materials. The application is thus considered to be in accordance with London Plan Policy 7.6, Islington Core Strategy Policy CS7 and Islington's Development Management Policy DM2.1.
- 4.5 The proposal is not considered to have an unacceptable impact on neighbouring amenity in terms of loss of sunlight, daylight, privacy, air quality or an increased sense of enclosure. An appropriate landscaping scheme can be secured by condition to ensure a high quality public realm.

It is considered that the benefits of the scheme are substantial and, on balance, outweigh the harm resulting from the conflict with Development Plan policy and all other identified harm.

5. SITE AND SURROUNDING

- 5.1 The 0.89ha site lies immediately to the west of Caledonian Road and is split into two parts. The smaller (0.18ha) part of the site ('Site 1') is located immediately south of Brewery Road at its junction with Caledonian Road, whilst the larger (0.71ha) part of the site ('Site 2') is located immediately north of Brewery Road and extends up to the junction of Market Road and Caledonian Road.
- 5.2 The sites currently provide approximately 7,600m² (GIA) accommodation within a mixture of employment generating uses. Site 1 comprises a three storey office and storage building which is currently occupied by the British Transport Police.
- 5.3 Site 2 comprises several industrial buildings in varying condition which are presently either vacant or occupied for a mixture of workshop, storage, office, training and industrial uses. These include the Balmoral Grove estate comprising 7 single storey units arranged around a central courtyard which were erected in the late 1970s for light and general industrial use. Located immediately to the south are 2 three storey buildings fronting Balmoral Grove (4 and 6 Brewery Road) which were constructed at the same time and provide basic office and studio space. 1-9 Market Road is located north of Balmoral Grove and comprises a detached single storey warehouse building with a 2 storey office pod to the front. 431 Caledonian Road is located east of Balmoral Grove fronting Caledonian Road and comprises a basic 3 storey 1970s office building. 433 & 435 Caledonian Road is a single storey industrial/warehouse building with mezzanine floors providing storage and office accommodation with pedestrian access from Caledonian Road and vehicle servicing from Balmoral Grove.
- 5.4 The present occupancy of the buildings is as follows:
- 1 Balmoral Grove (186m² GIA) – United House Ltd (Warehouse)
 - 3 Balmoral Grove (104m² GIA) – Vacant
 - 5-7 Balmoral Grove (247m² GIA) – Hertz (Warehouse)
 - 6 Balmoral Grove (270m² GIA) – Penhaligan Silverware (Workshop/Office)
 - 8 Balmoral Grove (178m² GIA) – Angel Drinking Water (Workshop/Office)
 - 9 Balmoral Grove (125m² GIA) – Ace Group (Warehouse)
 - 11 Balmoral Grove (125m² GIA) – MCT Car Repair (Warehouse)
 - 423-425 Caledonian Road (2444m² GIA) British Transport Police (Office/Warehouse)
 - 431 Caledonian Road (575m² GIA) – Taxi Trade (taxi driver training) / Femura Trading (Office)
 - 433 Caledonian Road (671m² GIA) – Workspace Co. (Warehouse)
 - 435 Caledonian Road (458m² GIA) – Vacant (Warehouse/Office)
 - 1-9 Market Road (1652m² GIA) – Europcar (Office/Storage)
 - 4 Brewery Road (348m² GIA) – Vacant (Warehouse/Office)
 - 6 Brewery Road (280m² GIA) – The Voice (Office/Workshop).
- 5.5 The north east corner of Site 2 adjoins the Grade II listed Caledonian Road Methodist Chapel which was built in 1870 and restored in 1953. The locally listed

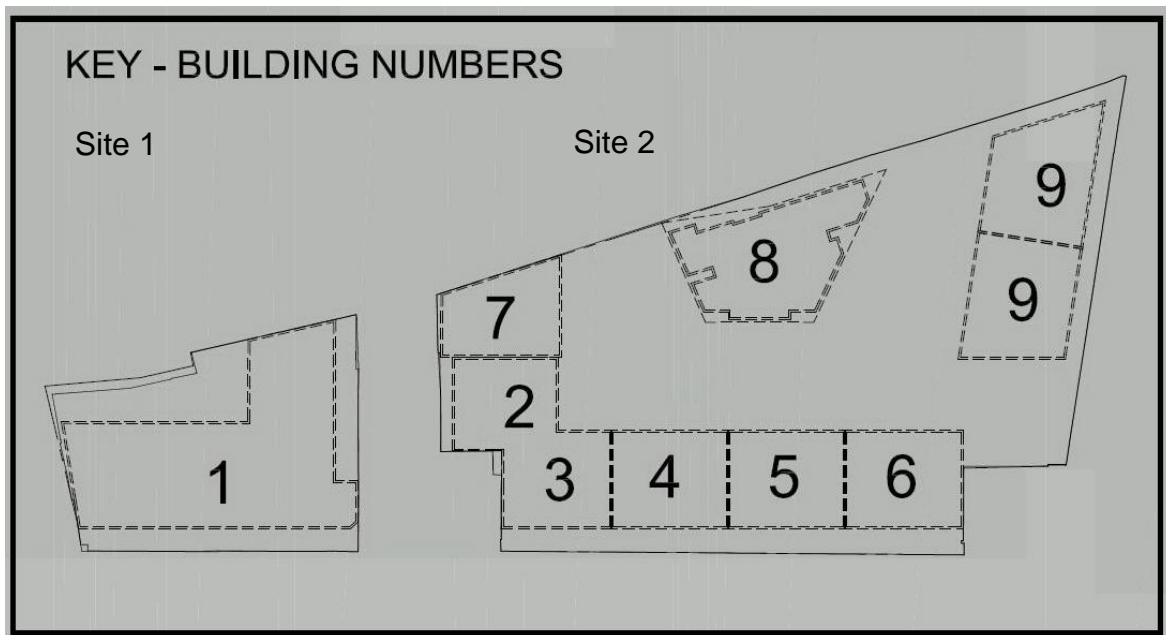
'Cally' public house also adjoins Site 2 and is located immediately to the north of the junction of Brewery Road and Caledonian Road.

- 5.6 In the surrounding area, there are commercial buildings within the Brewery Road industrial estate to the west of Site 1 with a two storey parade of retail/residential buildings immediately to the south. Pentonville Prison (Grade II listed) is located to the east on the opposite side of Caledonian Road. Market Road Gardens, a Council owned public open space and designated Site of Importance for Nature Conservation (SINC), is located immediately to the west of Site 2, with Lumpy Hill adventure playground and Islington Tennis Centre beyond. There are residential buildings ranging from 3 to 5 storeys in height on the opposite side of Caledonian Road to the east, including the 5 storey Carrick House which is part of the Grade II listed Caledonian Road Estate. There are recently developed 5-6 storey residential buildings to the north.
- 5.7 The site does not lie within a Conservation Area, neither is it adjacent to a Conservation Area.
- 5.8 The Site has a Public Transport Accessibility Level (PTAL) of 6a (Excellent).

6. PROPOSAL (IN DETAIL)

- 6.1 It is proposed to redevelop the site to provide 252 residential dwellings (Use Class C3) including 102 units of affordable housing; 7,672m² (GIA) of employment floorspace (Use Class B1a-c) including affordable workspace; 569m² (GIA) of retail (Use Class A1/A2/A3) floorspace; 62m² (GIA) of community (Use Class D1) floorspace; basement car parking providing a total of 26 spaces; 540 long stay and 34 short stay cycle parking spaces; a publicly accessible route through the site and a double height pedestrian link from Caledonian Road; and hard and soft landscaping.
- 6.2 The commercial floorspace within the development would predominantly occupy the ground and mezzanine floors of the development, with the exception of a seven storey office building that is proposed within the south west corner of Site 2, immediately adjacent to the Brewery Road industrial estate. Site 1 would accommodate buildings providing retail and employment floorspace at ground floor level with 59 social rented affordable dwellings above. The upper floors on Site 2 comprise a combination of market and affordable housing, providing a total of 193 units.

6.3 The buildings are arranged and identified as follows:



- 6.4 The scheme would provide a one way shared surface route through a central courtyard linking Brewery Road and Market Road which would provide access to both the residential and commercial units. Residential accesses to the buildings would be provided on the Caledonian Road, Market Road and Brewery Road frontages of the buildings.
- 6.5 The proposed buildings would be provided as nine separate parcels featuring different façade treatments for the courtyard facing and street facing aspects and an individual façade treatment for the central residential block.
- 6.6 The building occupying Site 1 would be arranged in an 'L' shape around a courtyard and would step up in height from 5 to 7 storeys on the Caledonian Road frontage and would step down to 6 storeys on the Brewery Road frontage.
- 6.7 The buildings on Site 2 would be arranged around the perimeter of the site with a centrally located residential block addressing the courtyard and adjoining open space. The Caledonian Road frontage would comprise four separate buildings arranged over 5, 6, 7 and 5 storeys from south to north. There would be two buildings to the south of Market Road on Site 2 arranged over 7 and 8 storeys with two buildings north of Brewery Road arranged over 6 and 7 storeys.
- 6.8 The central building within Site 2 (Building 8) would be 10 storeys in height and is intended to be the signature element of the development, incorporating a glass rain screen cladding system.
- 6.9 The overall plan of the buildings to address Caledonian Road are largely rectangular in nature with the central feature residential building (Building 8) of a more irregular form.

- 6.10 Buildings 1-7 and 9 will be clad in one of three different brick types to reflect the vernacular of the surrounding townscape in this area of Islington. The application of materials will be such as to denote the different elements of the buildings with the heavier elements at ground floor and mezzanine level to reflect the commercial uses, with materials and colours of lighter appearance as the building goes higher. The brickwork reveals further emphasise the change in use throughout the building with increased reveals at the base and an 'ostriched' (random bricks pulled forward to provide an 'ostrich skin' appearance) brickwork pattern at the top of the building to further lighten its appearance.
- 6.11 The non-residential floorspace within the development would be provided as follows:

Use	GEA (m ²)	GIA (m ²)	NIA (m ²)
Employment (B1a-c)	7,744	7,278	6,872
Affordable Workspace (B1a-c)	425	394	394
Retail (A1/A2/A3)	599	569	558
Community (D1)	77	62	N/A
Car Parking / Plant	2,063	1,959	N/A
Total	10,908	10,262	7,824

- 6.12 In terms of the commercial accommodation, 7,672m² (GIA) of floorspace will be provided across ground and mezzanine levels, with the exception of a dedicated 7 storey office building located in the south west corner of Site 2 (Building 7). It is proposed the units will be finished to shell and core with services brought into a central point, thus providing flexibility to accommodate a range of uses. The new employment accommodation has been designed to be flexible and offer a variety of unit sizes in order to respond to demand. The units will cater for a variety of business and will be particularly well suited to small and medium start-up businesses looking to serve central London from a cost effective location with good transport links.
- 6.13 The scheme has been designed to provide active frontages to Caledonian Road with employment units which are well suited to artisan businesses who can utilise workshop space to manufacture products towards the rear of the units and use the front of the unit for an ancillary retail element benefitting from a prominent street frontage. The ground floor retail units within Building 1 have been designed with a floorplate that is flexible and suitable for a number of potential incoming tenants.
- 6.14 The affordable housing will be delivered and managed by the Registered Provider Family Mosaic. The unit and tenure mix is broken down as follows:

	Unit Size			
	1 Bed	2 Bed	3 Bed	Total
Private				
No. Units	43	107	0	150 (59.5%)
%	28.6%	71.4%	0	100%
Social Rent				
No. Units	2	59	21	82 (32%)
%	2.4%	72%	25.6%	100%
Intermediate				
No. Units	5	15	0	20 (8%)
%	25%	75%	0%	100%
Summary				
Total Affordable	7	74	21	102 (40.5%)
Total Units	50	181	21	252 (100%)
%	19.6%	72%	8.4%	100%

The tenure split by habitable rooms is as follows:

	Habitable Rooms	Percentage
Private	407	55.4%
Social Rent	273	37.1%
Intermediate	55	7.5%
Total	735	100%

- 6.15 A single storey community use building directly adjacent the Grade II listed Methodist Chapel fronting Market Road will provide new modern facilities for local community groups, including the Methodist Chapel to use. The building has been designed to abut the west elevation of the existing Chapel without the need to connect into the existing structure (therefore not requiring listed building consent), but also has the ability to form an extension to the existing Chapel building should this be required in the future.
- 6.16 The Development will be car free with the exception of 26 disabled parking bays located at basement level. The basement car park will be accessed via two vehicle lifts located within the central courtyard.
- 6.17 Cycle parking will be provided in accordance with Islington's minimum standards. 540 long stay cycle spaces will be provided with 456 allocated to the residential use and 84 allocated to the employment uses. 34 short stay spaces would be integrated into and around the public realm. Cycle parking for Site 1 will total 117 spaces, located at ground floor level, with 339 spaces at ground floor level for Site 2.
- 6.18 Private amenity space will be provided in the form of balconies and winter gardens, as well as semi-private communal landscaped terraces, including under 5's play space, being provided at podium level within both Sites 1 and 2. The landscaped terraces are located either side of Building 8 within Site 2 and to the rear of Building 1 on Site 1. These terraces would feature landscaped gardens and are intended to provide a visual connection with Market Road Gardens immediately to the west.

- 6.19 The development will incorporate a gas fired combined heat and power unit with additional heating provided by back up boilers. Photovoltaic (PV) panels will provide renewable electricity.

Revision 1

- 6.20 Amended details were received on 13 November 2015 in response to the Design Review Panel meeting of 30 September 2015 and a further meeting with Officers on 30 October 2015. The amendments involved revisions to the brickwork on the flank walls of buildings 1 and 6, revisions to the design and materiality of the proposed community building and an amended composition featuring 3 different bricks for building 1.

7. RELEVANT HISTORY

- 7.1 There is a very limited planning history relating to the buildings occupying the sites further to their original construction.

Planning Applications

423 – 425 Caledonian Road

- 7.2 **981966** - Extensions of the existing building at front, rear and roof level to provide a building of five storeys providing a hotel of 81 rooms and 7 hotel suites with ancillary function/conference room, restaurant and two retail units and associated car and coach parking (granted approval February 1999).

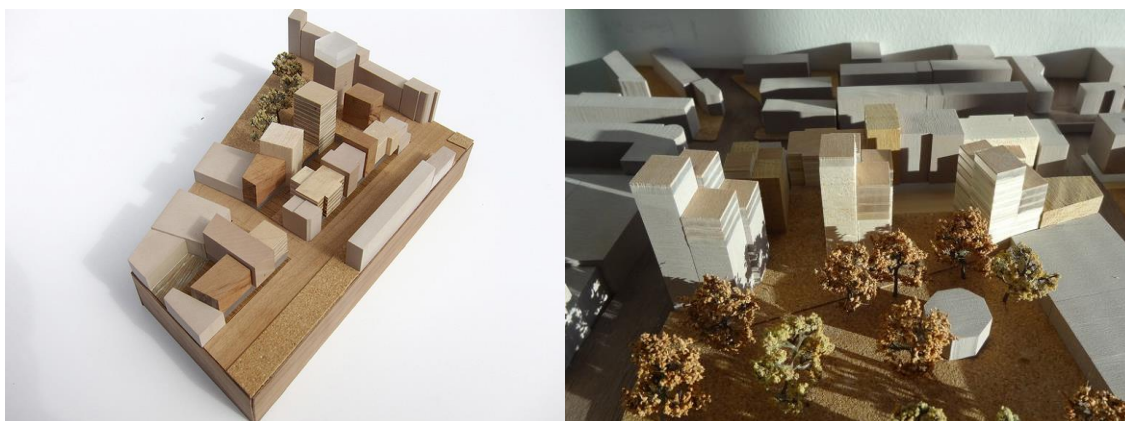
1 Market Road

P060747 - Change of use of premises from B1 to flexible use of either B1 or B8 or Timber Merchant yard (sui generis) (granted approval in May 2006).

Pre-application Advice

- 7.3 The proposal is the result of extensive pre-application discussions with Officers which commenced in January 2013 and have included 7 formal pre-application meetings. The following drawings and photographs illustrate the earliest proposals:





- 7.4 The scheme has evolved significantly in response to feedback and comments from Officers as well as in response to presentations to three Design Review Panels, which are detailed within the following section.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 1323 adjoining and nearby properties at The Drive, Ewe Close, Conistone Way, Bradley Close, Burness Close, Blundell Street, Kerwick Close, Caledonian Road, Lockhart Close, Brewery Road, Market Road, Rydston Close, Mackenzie Road, Armour Close, Wellington Mews, Roman Way, Sutterton Street, Sophia Close, Yoke Close and Balmoral Grove on 29 September 2015. A site notice and a press advert were displayed on 1 October 2015. A further consultation exercise was carried out on 3 December 2015 publicising the application as a departure from the development plan with respect to Policy DM5.3. The public consultation of the application therefore expired on 22 October 2015. However, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report a total of 12 objections had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

Objections

- Excessive height, in the particular highest building on Caledonian Road frontage and the 11 storey building to the rear (paragraphs 11.43-11.48)
- Overdevelopment / excessive density (paragraphs 11.63-11.67)
- Out of character, in particular as the surrounding area predominantly comprises lower height buildings (paragraphs 11.39-11.62)
- Design of buildings is somewhat formulaic (paragraphs 11.39-11.62)
- Buildings fronting Caledonian Road will not be set back as they are presently (paragraph 11.42)
- Increased pressure on local infrastructure and services, in particular GP services, buses and Caledonian Road Underground Station (paragraphs 8.8, 11.205-11.217, 11.220)

- Loss of light, visual impact and loss of views at No. 453 Caledonian Road (Flats 15 and 17) (paragraphs 11.118-11.119)
- Loss of light, loss of outlook, overbearing visual impact and increased sense of enclosure at Carrick House (paragraphs 11.125-11.128)
- Loss of privacy at Carrick House (paragraphs 11.141-11.142)
- Increased traffic (paragraphs 11.205-11.217)
- Area does not need more retail units – there are retail units in the locality that have been vacant for 7-8 years (paragraphs 11.32-11.37)
- Increased noise as a result of tunnelling effect from buildings on Caledonian Road (paragraphs 11.153-11.154)
- Possible effect on TV / radio signal (paragraphs 11.143-11.144)
- Affordable housing provision may be inadequate / affordable housing may not be affordable to those in need (11.163-11.185)
- Policy framework provides robust protection of the site for redevelopment for B Class use only – Berkmann Wine Cellars has been looking for a site to accommodate a new warehouse – if application is permitted it will undermine the ability of this and neighbouring businesses from growing and remaining in the area (paragraphs 11.2-11.28)
- Residential building on Brewery Road will feature windows to flank walls which will prejudice future development of adjacent industrial estate and compromise employment generation – it should be reduced in height and habitable room windows should be removed on flank elevations (paragraph 11.28)
- Conflict with ongoing 24 hour operation of businesses on industrial estate (paragraphs 11.28)
- Monies should be secured for local area, including Caledonian Park clock tower and railing repair (paragraph 11.220)
- Council should secure high quality materials and high standards of sustainability (paragraphs 11.52-11.58, 11.186-11.201)
- Commercial uses should be properly managed to ensure success (paragraph 11.219).

8.3 A representation has been received from the Play Co-ordinator for the Hayward Adventure Playground and is summarised as follows:

- Hayward Adventure Playground has been providing a unique dynamic space for children and young people with disabilities and special needs to play for over 40 years - it is heavily used and much loved
- Users range from 5-25 years old and include children on the autistic spectrum, those with mild to severe learning difficulties, young people with emotional and behavioural issues as well as a variety of physical disabilities and conditions
- Facility allows children and young people unable to access main stream play facilities with a place where they can play through providing a safe, secure environment with experienced management and staff to provide necessary support
- Residential block will directly overlook the playground resulting in a loss of privacy for the children and young people within the playground whilst there may be complaints from residents, particularly as some users will behave in a

challenging way (e.g. attempting to remove clothes, urinate and defecate outside, throw stones or other objects, etc)

- We are keen to work in partnership to look for creative solutions with positive outcomes for all parties - we would require a wall along the eastern side of the playground to provide a visual and physical barrier between the playground and the lower floors of the main residential block and, potentially, adaptation of the area of the playground east of our building to provide extra cover, such as through a sheltered area or canopy.

8.4 The applicant has held a meeting on-site with the Play Co-ordinator and it has been agreed that off-site mitigation measures to be provided within the playground, including a wall along the eastern side of the playground, would be secured through the Section 106 agreement. The Play Co-ordinator has indicated verbally that this will address their concerns.

8.5 The representations received included 9 representations in support of the scheme which are summarised as follows:

- Scheme will deliver wide range of benefits to the area
- Proposal is well thought out, of high quality design and will undoubtedly improve this section of Caledonian Road
- Positive contribution to Methodist Church
- Scheme proposes space for local art and design and small businesses rather than franchise retail
- Scheme will enhance residential community and support local shops and businesses
- Affordable and start-up commercial units and affordable housing is welcomed
- Higher proportion of shared ownership accommodation should be provided.

Applicant's Consultation

8.6 The applicant has provided details of their consultation exercise within a Statement of Community Involvement which accompanied the planning application. The consultation included a public exhibition which took place on 25 and 27 July 2015 and was attended by around 50 individuals, and the delivery of 1,650 leaflets to local addresses. The Statement details positive responses in relation to job creation, delivery of new homes including affordable housing, and public realm improvements. Whilst there was positive feedback in relation to the design of the buildings, concerns were expressed in relation to their height and potential loss of light and loss of privacy.

External Consultees

8.7 Greater London Authority – the application was referable to the Greater London Authority as it falls under the categories 1A.1 (development including the provision of over 150 flats) and 1C(c) (building over 30m high outside of the City of London) of the schedule to the Town and Country Planning (Mayor of London) Order 2008. It should be noted that the applicant has since submitted further information to demonstrate that the proposal does not exceed 30m in height. The Council received

the Mayor of London's Stage 1 response on 18 November 2015 which is summarised as follows:

Principle of development

- Significant increase in job opportunities, retention and improvement to B1 floorspace, provision of housing and improvement to quality of space at the site, align to London Plan policy.
- Introduction of residential uses onto industrial sites and placement of uses will require careful management in amenity terms and appropriately worded conditions will need to be imposed and potentially covenants, so as not to fetter the continued operation of industrial uses.
- Employment Management Strategy should be secured, which sets out unit sizes, how movement between units will be managed for tenants and how servicing/access requirements will be addressed.

Housing

- Provision of 252 units would make a 20% contribution towards Islington's London Plan housing targets and is welcomed in principle.
- Scheme proposes 40.5% affordable housing based on units and is considered acceptable in principle subject to the outcome of an independent review of financial viability demonstrating that the affordable housing provision is the maximum that the scheme can reasonably support.
- Further discussion would be appropriate to establish whether further affordable housing could be provided if an alternative tenure split (providing a greater proportion of intermediate housing) were proposed.
- 8.4% provision of family sized units is low, although it is noted that 25% of the rented units would be 3 bedroom – it is understood that the scheme has been developed in consultation with Family Mosaic and therefore meets an identified local need
- Children's play space for under 5s is in accordance with the Mayor's SPG and is welcomed – older children would be accommodated in nearby parks and financial contributions towards these spaces may be appropriate (*Officer note – this would be secured through the Islington Community Infrastructure Levy*)

Urban Design

- Overall design approach is generally supported – its height and massing has been carefully considered in relation to the adjacent listed buildings and the scheme fits in well with the surrounding area – proposed Balmoral Grove is well activated by both residential foyers and commercial units, ensuring this space feels safe, active and well used, providing a welcome addition to the public realm network in the area.
- Residential quality of the scheme appears high, with a generous number of residential cores ensuring a high proportion of dual aspect units, limited shared circulation space and good overall outlook.
- The varying brick types emphasise the individual blocks and contrast the stand alone feature building which features rainscreen cladding.
- Western edge of the site fronts onto Market Road Gardens and there is concern that the development would not create a good enough park edge or provide access to residents from the development to the park – the development has the potential to significantly improve the use of this edge of the park in a future scenario where the use of this edge of the park changes

(Applicants response - the relationship of the development with the Gardens changes along the shared boundary and it is not possible to provide an uninterrupted interface due to the need to provide natural daylighting within the ground level employment accommodation. Furthermore, the eastern end of Market Road Gardens is used as a landscaping maintenance area, as well as by the Hayward's Adventure Playground care facility, and requires vehicular access from Market Road through the Gardens and, as such, has a reduced amenity value to that of the rest of the park. The proposal has therefore been designed to ensure the boundary between the publicly accessible park and the new development is respected, whilst seeking to maximise the visual connection between the two).

Inclusive Design

- Scheme is acceptable in terms of inclusive design – 25 disabled car parking spaces are welcomed and mechanisms should be secured in the Parking Management Plan to enforce and monitor the supply and future demand of the blue badge bays to ensure the development is accessible to disabled people who rely on a car.

Sustainability

- Applicant has assumed zero heat loss between the dwellings and corridors due to gains from distribution pipes and lighting – this approach is not supported as heat gains should be minimised as far as possible and the applicant should review the SAP models accordingly *(Applicants response - the corridors will be internal spaces and as a result will have a negligible heat loss. If background heating in the form of radiators was to be provided, the radiators would be sized to provide the same heat gain as the heat loss of the space, therefore there is no requirement for radiators to maintain a comfortable temperature. There will be hot water pipework along the corridors with other heat gains which will heat the space. This approach has been accepted by Building Control on a number of other similar schemes.)*
- Applicant should provide evidence to demonstrate that the cooling demand has been reduced for the commercial/ retail elements of the proposal *(the applicant has submitted further evidence).*
- Combined Heat and Power unit would be significantly short of meeting the heating baseload and the applicant should review the CHP sizing *(the applicant has submitted further information to the GLA demonstrating that the CHP size is correct)*
- Projected reduction in carbon savings from the photovoltaic array appear optimistic and the applicant should review the savings and update the carbon emission figures accordingly *(updated calculations have been provided to the GLA whilst the applicant will make a financial contribution to offset carbon emissions).*

Conclusion

- On balance, the application does not yet comply with the London Plan, however the remedies set out could address these deficiencies.

8.8 Transport for London - are satisfied overall that the development proposals are unlikely to have a negative impact on the capacity of either public transport or the Strategic Road Network/TLRN (Transport for London Route Network) and have commented as follows:

- Delivery and Service Plan (DSP) and a Construction Logistics Plan (CLP) should be secured by condition.
- Long stay cycle parking for the B1 uses should be increased to 90 spaces to comply with London Plan (2015) standards whilst an appropriate amount of cycle parking needs to be agreed for the D1 use. Cyclist facilities (showers, lockers and changing areas) should be provided for staff of the non-residential uses. *(Applicant's response – there are varying standards for B1a-c uses and the end users for the proposed flexible commercial space are currently unknown – it is confirmed that cycle parking for each unit will be provided in accordance with the respective use class and this can be secured by condition – showers and changing facilities will be provided on site).*
- Subject to appropriate details TfL is supportive of the north-south route through the site which would improve permeability.
- £30,000 should be secured through a Section 106 agreement for the upgrade of bus shelters (4 bay London Landmark model) at Stops H and G which are located along Caledonian Road. It is suggested that the applicant also extends Bus Cage H to allow 2 buses at any one time and these works must be completed as part of a S278 agreement. *(The applicant has confirmed their agreement).*
- The proposed development is car free (except for 25 disabled spaces) which is supported by TfL. The parking provision for disabled people (for wheelchair accessible housing and lifetime homes flats) and its appropriate management should be secured by condition. Electric vehicle charging points (EVCPs) should also be secured by condition. Residents should be exempt from applying for parking permits (except for blue badge holders). *(The applicant has confirmed their agreement).*
- Travel Plan should be secured through the Section 106 agreement. It should contain ambitious targets particularly relating to the uptake of cycling and should be secured, enforced, monitored and reviewed as part of the S106 agreement.

8.9 Metropolitan Police (Crime Prevention) – no objections raised.

8.10 Thames Water – No objection raised and the drainage strategy is agreed. The developer is required to provide a piling method statement to mitigate the impact on underground sewage infrastructure.

8.11 Environment Agency – no objections raised.

8.12 London Fire and Emergency Planning Authority: Proposal is satisfactory subject to the development meeting the requirements of Approved Document B5 of the Building Regulations.

8.13 London Underground: No objections subject to conditions to safeguard London Underground tunnels and infrastructure.

Internal Consultees

- 8.14 Housing Officer – no comments received (*it is understood that the Council's Housing Division provided input on the proposed affordable housing provision at pre-application stage*).
- 8.15 Access Officer – concerns are expressed in relation to the location of the underground car parking. Accessibility matters can be addressed through appropriate conditions.
- 8.16 Design and Conservation Officer – although the proposal pushes boundaries in terms of height it is broadly supported from a design point of view subject to securing a high standard of materials and detailing through appropriate conditions. The materials to Block 1 should be reconsidered and this can be dealt with through the materials condition. An appropriate maintenance regime for the glass clad building should be secured by condition.
- 8.17 Energy Conservation Officer - welcomes the financial contribution towards carbon off-setting and supported the objective of achieving a BREEAM rating of 'Excellent'. The energy efficiency measures and renewable energy proposed are considered appropriate and in accordance with policy. Although connection to a DEN is not currently proposed, the development would need to be future-proofed to enable connection in the future.
- 8.18 Tree Preservation / Landscape Officer – objects to the proposal due to the impact on trees within Market Road Gardens including post development pressure on these trees.
- 8.19 Ecology Officer - no objections to the proposal, subject to conditions securing bird and bat boxes.
- 8.20 Parks Officer - Overshadowing of Market Road Gardens and increased pressure on local parks (*the development will be liable for an Islington Community Infrastructure Levy payment which can be allocated to the improvement of local parks*).
- 8.21 Public Protection Division (Air Quality) – planning permission should be subject to a condition securing an Air Quality Report identifying potential exposure to air pollution levels exceeding the national air quality objectives and demonstrating how this exposure will be addressed. (*Condition no. 24*).
- 8.22 Public Protection Division (Noise Team) – the site is heavily affected by noise from Caledonian Road. The Acoustic Report recommends a noise insulated glazing system with mechanical ventilation to provide appropriate internal noise levels. Planning permission should be subject to a condition securing sound insulation and noise control measures to ensure that noise within habitable rooms would be under specified levels. Conditions to control plant noise and to secure appropriate sound insulation between the commercial and residential uses are also requested. (*Condition nos. 20,21,22*).
- 8.23 Public Protection Division (Land Contamination) – the site has had a number of potentially pollution uses on-site. Planning permission should be subject to a

condition securing a land contamination investigation and a programme of any necessary remediation works (condition 25).

- 8.24 Spatial Planning and Transport (Transport Officer) – no objections subject to relevant conditions.
- 8.25 Street Environment Division – no comments received.
- 8.26 Sustainability Officer – no objections raised subject to relevant conditions.

Other Consultees

- 8.27 Design Review Panel - At pre-application stage the proposal was considered by the Design Review Panel on 5 March 2015 and 14 July 2015 and during the application stage on the 30 September 2015. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. The panel's most recent observations of 30 September 2015 are attached at **Appendix 3** and are detailed below:

Massing: The Panel reiterated its concern that the height of the proposed block immediately south of the chapel is too tall and that that this listed building deserved a better backdrop. Panel members also highlighted discrepancy between the plan and the CGI, which showed balconies on the wall as the backdrop for the chapel.

In addition, the Panel expressed concern over the poor massing and materiality of the proposed community building, which it felt did not add to the chapel or the rest of the development. Overall the Panel felt that the community building was a missed opportunity.

The Panel noted the sharp contrast in height between the south block (building 1) and the adjacent buildings on Caledonian Road and argued that the resultant large blank wall must have the right treatment and quality of detail.

Officer's comments: The scheme has been amended following a meeting with Officers on 30 October 2015. The amendments involved revisions to the brickwork on the flank walls of buildings 1 and 6, revisions to the design and materiality of the proposed community building and an amended composition featuring 3 different bricks for Building 1. It is recommended that details of materials be secured by condition should planning permission be granted. It was considered that a reduction in the height of the proposed block to the south of the Chapel (Building 6) would not be appropriate as it would require corresponding reductions in the heights of the adjoining buildings to maintain a satisfactory appearance, which would have significant implications in terms of the delivery of affordable housing. It is therefore considered that the additional detailing to the flank elevation of Building 6 satisfactorily improves the backdrop to the chapel. The amendments are considered to satisfactorily address the concerns of the Design Review Panel.

Elevations: The Panel argued that there was a lack of differentiation in the detailing on the Caledonian Road elevation and that variation in the colour of the brick between the various buildings was not sufficient. Panel members recommended that

additional distinction in the detailing of windows and balconies of the different buildings was needed. In addition, the Panel argued that the differentiation on the front elevation must be reflected across the back elevation but that currently the four buildings looked very similar.

Officer's comments: The applicant has submitted amended details indicating that each brick type will be paired with a different metal finish to window frames and balcony detailing to ensure that each building appears more distinct. The amendments are considered to satisfactorily address the concerns raised by the Design Review Panel. It is recommended that details of materials, including balconies and windows, are secured by condition.

Amenity: The Panel expressed concerns over the internal street, which it argued still felt like a road and a linear route through the development. Panel members argued that there was a need for further elements that signalled that it is a yard, such as trees (existing tree proposals were too ornamental), seating and differentiation in paving. The Panel argued that to withstand the commercial use, the internal courtyard must be of sufficiently high quality and robustness.

The Panel argued that the landscaping on the podium needed further detailing, particularly in relation to the provision of play space.

Panel members questioned the lack of amenity space, beyond play space provision, for all parts of the development and particularly in the southern part the suitability of the lower roofs for amenity space should be explored.

Officer's comments: The applicant has submitted amended details of landscaping indicating more distinction for the ground floor courtyard to place greater emphasis on pedestrian movement over vehicular – it is proposed to lay rumble strip zones at the entrance ramps and to provide granite monolith seating among the sculptural birch tree planting. An update on landscaping and amenity space will be provided at the meeting and it is recommended that details of hard and soft landscaping are secured by condition to ensure a satisfactory landscaping scheme.

9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following Development Plan documents.

National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 Since March 2014 Planning Practice Guidance for England has been published online.

- 9.3 Under the Ministerial Statement of 18 December 2014, the government seeks to increase the weight given to SuDS being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).
- 9.4 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via:
- Written Ministerial Statement issued 25th March 2015
 - Deregulation Bill (amendments to Building Act 1984) – to enable 'optional requirements'
 - Deregulation Bill received Royal Assent 26th March 2015.

Development Plan

- 9.5 The Development Plan is comprised of the London Plan 2015, Islington Core Strategy (2011) and Development Management Policies (2013). The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

- 9.6 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011 and Development Management Policies 2013
- Vale Road / Brewery Road Locally Significant Industrial Site.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.7 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 10.1 The proposed development falls within the margins of Category 10(b) of Schedule 2 of the Regulations and is therefore a development which may require an EIA. A request for an EIA screening opinion was submitted on 11 September 2015 (ref. 2015/2979/EIA). An assessment was carried out against the criteria within Schedule 3 of the regulations it was considered that the impacts arising from the development were not of more than local significance and that the impacts of demolition, construction and end scale / use were not considered to have significant environmental or wider reaching impacts. It was therefore considered that these impacts could be readily assessed from the scope of relevant supporting statements that would normally be expected to accompany a planning application of this scale and nature. Accordingly, the applicant was advised that the planning application would not be required to be accompanied by an EIA by letter dated 11 September 2015.

11. ASSESSMENT

11.1 The main issues arising from this proposal relate to:

- Land use
- Design
- Density
- Accessibility
- Landscaping, trees and biodiversity
- Neighbouring amenity
- Quality of residential accommodation
- Dwelling mix
- Affordable housing (and financial viability)
- Energy conservation and sustainability
- Highways and Transportation
- Planning obligations/mitigations.

Land-use

- 11.2 The application proposes a mixed use redevelopment of the site which would include 7,672m² (GIA) of employment floorspace (B1(a-c)), 569m² retail floorspace (A1-A3), 62m² community floorspace (D1) and 252 residential dwellings (C3). The site lies within the Vale Royal / Brewery Road Locally Significant Industrial Site (LSIS) wherein there is a presumption against development which does not fall within the B1(c), B2 and B8 Use Classes. In this regard, the proposal represents a departure from the Development Plan.
- 11.3 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Local planning authorities should normally approve applications for residential development, provided that there are not strong economic reasons why such development would be inappropriate.
- 11.4 The London Plan identifies a minimum target of 42,389 net additional homes to be provided within London each year. In order to assist in meeting this target Islington has been set a target to deliver a minimum of 12,641 homes to be delivered during the period 2015-2025. Core Strategy Policy CS12 'Meeting the housing challenge' seeks to ensure that the Borough has a continuous supply of housing to meet London Plan targets.
- 11.5 It is therefore the case that there is a strong policy presumption in favour of the delivery of new housing and the scheme would deliver 252 units, including 102 affordable units, which would make a significant contribution towards the Borough's targets. However, as residential development is inappropriate within an LSIS, careful consideration of the proposal in terms of employment land supply is required.
- 11.6 Policy CS13 of Islington's Core Strategy sets out how the Council will provide and enhance employment space throughout the Borough. New business space will be required to be flexible to meet future business needs and will be required to provide a range of unit types and sizes, including those suitable for SMEs. Development

should provide jobs and training opportunities, including a proportion of small, micro and/or affordable workspace or affordable retail space.

- 11.7 The Core Strategy states at paragraph 3.4.6 that the Vale Royal/Brewery Road LSIS is the last remaining industrial zone which has already seen a significant shift away from traditional industrial activities and that 'the aim is not to shore up dying industries as this would lead to economic inefficiencies identified in the Treasury's Barker Report, but to protect a variety of employment spaces'.
- 11.8 Core Strategy policy CS6D states that the LSIS will be retained as the only locally significant concentration of industrial/warehousing/employment land in the borough.
- 11.9 The Mayor's London Land for Industry and Transport SPG (2012) identifies that the LSIS is strategically located to provide capacity for responsive 'just in time' logistics in proximity to the Central Activities Zone to support the financial and business services sector and growth in other services, including culture, leisure, tourism and hospitality (para. 5.13 and Annexe 4).
- 11.10 Islington's industrial land is afforded the strongest level of protection under Policy 4.4 ('Managing Industrial Land and Premises') of the London Plan (2015) which identifies that there should be a 'restricted transfer' of industrial land to other uses. The Mayor's Land for Industry and Transport SPG confirms that boroughs within the 'restricted transfer' category typically have low levels of industrial land relative to demand. Policy 4.4 states, inter alia, that:

'The Mayor will work with boroughs and other partners to:

- a) adopt a rigorous approach to industrial land management to ensure sufficient stock of land and premises meet the future needs of different types of industrial and related uses in different parts of London, including for good quality affordable space
- b) plan, monitor and manage release of surplus industrial land where this is compatible with a) above, so that it can contribute to strategic and local planning objectives, especially those to provide more housing...

Part B of the policy also identifies that locally significant industrial sites should be planned and managed taking account of a range of factors inter alia, the quality and fitness for purpose of sites and integrated strategic and local assessments of industrial demand to justify retention and inform release of industrial capacity in order to achieve efficient use of land.

- 11.11 Development Management policy DM5.3 states that:

'Within the Vale Royal/Brewery Road Locally Significant Industrial Site:

- a. The council supports the retention and intensification of uses appropriate to the role of the Locally Significant Industrial Site (i.e. within the B1(c), B2 and B8 Use Classes).
- b. Proposals that would result in a loss or reduction of floorspace in the B1(c), B2 or B8 Use Classes will be refused unless the

applicant can demonstrate exceptional circumstances, including through the submission of clear and robust evidence related to the continuous marketing of vacant floorspace for a period of at least two years.

- c. Notwithstanding (b), the loss or reduction of business floorspace will be resisted where the proposal would have a detrimental individual or cumulative impact on the area's primary economic function (including by constraining future growth of the primary economic function).
- d. Planning permission will be refused for the introduction of non-business uses (i.e. which fall outside the B Use Classes) except for services and facilities that are clearly ancillary to, and support the economic and employment function of, the Locally Significant Industrial Site.'

- 11.12 The current uses on the site fall within Classes B1(a) (offices), B1(c) (light industrial) and B8 (warehouses) and according to the applicant's schedule are in use as follows: offices – 575m²; workshop/offices – 728m²; warehouse/offices - 3,250m²; warehouse – 1,354m²; offices/storage – 1,652m²; vacant – 104m².
- 11.13 The policy framework places a strong emphasis on the protection of a dwindling supply of industrial land and Policy DM5.3 anticipates the redevelopment of the site for uses falling within the B1(c), B2 and B8 Use Classes. It is acknowledged that, if planning permission were granted, it would effectively amount to de-designation of strategically recognised industrial land (LSIS). This is contrary to the approach outlined in the London Plan Land for Industry and Transport SPG which states that release should be managed on a plan-led basis in a Borough of restricted transfer. However, the GLA Stage 1 response presents support for the proposal on the basis that an Employment Management Strategy is produced and there are covenants on the residential occupiers to protect the operation of industrial uses.
- 11.14 The proposal is contrary to Policy DM5.3 by virtue of the inclusion of 252 residential units, 569m² flexible retail (A1-A3) floorspace and 62m² community (D1), which fall outside of the appropriate uses included in DM5.3(a). The proposed 7,672m² replacement business floorspace would marginally exceed the 7,600m² business floorspace on the site presently, and would fall within Use Class B1(a-c). Class B1(c) (light industry) floorspace is appropriate within an LSIS but due to the flexible nature of the employment floorspace there can be no assurances as to the amount of floorspace that will fall under this use class. The proposal would be contrary to DM5.3(b) as it involves the loss of B8 (warehouse) floorspace without re-provision. Furthermore, the proposal would result in harm to the primary economic function of the area protected by DM5.3(C) by reason of the loss of the opportunity for comprehensive redevelopment of the site for B1(c), B2 or B8 use, whilst the proposal is categorically precluded by DM5.3(D).
- 11.15 The proposal represents a departure from Development Plan policy therefore, if the proposal is to be considered acceptable in planning terms, there should be significant material considerations that outweigh the identified harm from the conflict with Policy DM5.3.

- 11.16 The application is accompanied by a Market Report in support of the proposal. The report provides an assessment of the current site including the following points:
- Configuration of the units around the Balmoral Estate cul-de-sac restricts vehicle movements, particularly for HGV's which have to reverse in from Brewery Road with only enough space for one such delivery at a time.
 - 4-6 Brewery Road provide very basic office/studio space - these units now look very dated and the arrangement of the accommodation makes it inefficient to occupy.
 - 1-9 Market Road has a limited yard area for loading and parking which results in HGVs having to park in Market Rd.
 - Age, specification and poor image of 431 Caledonian Road means these offices will only appeal to budget driven occupiers looking for short lease terms offering the landlord weak covenants.
 - 423-425 Caledonian Road is now looking very dated and offers a basic specification which is now out of step with occupier requirements.
- 11.17 The Market Report notes that the Brewery Road Industrial area was traditionally home to a large number of manufacturing businesses, particularly the fashion industry. However, manufacturing activity declined both locally and nationwide from the 1970s, whilst the service and warehouse sectors expanded. The last 10 years has seen warehouse operators move to more efficient buildings closer to the national motorway network and their replacement by smaller scale 'last mile' distribution companies and by companies within the creative sector. The latter generally bring with them a higher ratio of desk based workspace and therefore a higher density of employment which requires a higher quality working environment with good natural light and a good quality fit out.
- 11.18 The report provides details of the marketing and letting history of the buildings on Site 2 since they were acquired by the present owner in 2003 and concludes that there have been significant voids despite extensive marketing. It states that the evidence highlights a lack of demand from the industrial sector, for which the units were originally designed, and a lack of interest from occupiers in the warehouse and creative sectors seeking modern, high quality and efficient space. The report also notes that rents on the estate have stagnated and in some cases fallen since 2003 against a backdrop of an improving wider market.
- 11.19 423-425 Caledonian Road has remained occupied by the British Transport Police since its acquisition by the site owner in 2011 and therefore has not been the subject of marketing.
- 11.20 The Market Report provides a market commentary which includes the following points:
- There has been a steady improvement within the commercial property market since 2011 and more recently there has been a significant up-take in commercial space
 - Improving economic conditions and increased business confidence has fuelled demand for commercial floorspace - so long as political and economic

stability continues it would seem that current market conditions will prevail for some while

- Increased demand has been frustrated by a lack of supply, particularly of good quality space - new industrial development has been limited and almost non-existent within inner London boroughs whilst supply within the Brewery Road Estate is at an all-time low
- There is currently very strong demand for accommodation in this locality from an increasingly wide range of occupiers from sectors including music production and recording, set production, film production, sound and light equipment hire, telecoms, computer services and publishing.

11.21 The provision of office floorspace is supported by London Plan Policy 4.2 which promotes mixed use development of office provision, including enhancing its varied attractions for businesses of different types and sizes including small and medium sized enterprises.

11.22 It can be acknowledged that there is potential to utilise the land more efficiently than at present, in particular given its relatively central and accessible location. The application states that the site currently supports approximately 43 full time equivalent jobs. The applicant suggests that the employment potential of the proposed business floorspace is between 184 and 641 full time equivalent jobs based upon the Homes and Communities Agency Employment Densities Guide 2nd Edition (2010). This represents a significant increase in the number of jobs that the site could support.

11.23 It can therefore be accepted that the proposal has the potential to support new jobs and the economic function of the area whilst it is noted that the proposal would result in a small increase in employment floorspace (GIA). The employment floorspace would be provided as a mix of business (B1a-c) and retail (A1-3) uses which is intended to be flexible and would offer a variety of unit sizes to respond to anticipated demand. The units will be provided to shell and core specification thereby allowing incoming occupiers to fit out to their specific needs, ensuring the units will cater for a variety of business needs, particularly those of small/medium start-up businesses.

11.24 The Market Report provides an assessment of the likely demand for the proposed business floorspace, noting that the scheme would:

- Be attractive to small and medium businesses looking to serve central London from a cost effective location with good transport links - many smaller business are being squeezed out of more central locations due to rising rents.
- Help fill a gap in the current supply of high quality business space within the area which is evident from the take-up at the Tile Yard office scheme to the south west corner of the Brewery Road Estate - this is the only scheme to provide modern B1 space and over recent years and has proved with companies from the creative and media sectors as well as traditional office occupiers and is now fully occupied.
- Attract the media, creative and arts sectors, as well as more traditional service providers including financial services, business equipment, office supplies, telecommunications, light production and assembly.

- 11.25 The Report concludes that the future of the existing estate is bleak with the prospect of further voids, a volatile letting profile and falling rents and it will therefore make a diminishing contribution to the vitality of the area and the provision of employment. The proposed commercial scheme will provide a much needed supply of high quality space with a range of unit sizes between 50m² and 712m², and approximately 2,288m² within the office building (Building 7), offering efficient floor plates and good natural light, with an up to date communication infrastructure to suit changing demands/needs in the Borough.
- 11.26 Islington's Employment Study (published in 2008 and reviewed in 2012) identifies a change in the market dynamic with a projected overall net decline in demand for industrial and warehousing land during the period 2006-2026 with the majority of demand for B1 floorspace, including light industrial (B1c) (paragraph 6.13). The report also notes that there will be a continuing demand for good quality smaller (up to 10,000m²) logistics, warehousing and storage facilities in accessible locations to provide 'just-in-time' logistics for the CAZ.
- 11.27 The applicant has provided evidence within the Market Report to support its case for a move from more industrial to general employment/B1 flexible floorspace to meet current demand. It can be accepted that the provision of higher specification employment floorspace in this location will be likely to lead to a significant increase in job opportunities. This benefit alone would not outweigh the harm in policy terms that would result from the introduction of non-conforming land uses within an LSIS. However, significant weight can be attached to the delivery of new housing in a highly accessible location, particularly given that 40.5% of the total units will be affordable housing. The proposal will also result in the replacement of buildings that can be considered to have a neutral or negative impact in character terms with a development which would result in a significant improvement to the visual amenities of the area (this issue is considered in more detail in the Design and Appearance section below). On balance, the significant regeneration benefits and housing benefits of the scheme could be considered sufficient to outweigh the harm in policy terms that will result from the conflict with Policy DM5.3. It is recommended that a management plan for the business units is secured through the Section 106 agreement to ensure that the residential and B1 uses within the development are compatible.
- 11.28 The characteristics of the site and its surroundings as well as the design and layout of the proposal are such that it is considered that the proposal would not set a precedent for further residential development within the Vale Royal/Brewery Road LSIS contrary to Policy DM5.3. The sites front Caledonian Road which has a residential character both directly opposite and adjoining to the south, as well as opposite along Market Road. Market Road Gardens and Building 7 (which would comprise entirely B1(a) office floorspace) would act as a buffer to the remainder of the LSIS. In this respect, the proposal makes a transition and can sit comfortably in this location subject to covenants preventing future residents from registering complaints regarding to noise and disturbance. Accordingly, it is considered that, in view of the benefits of the scheme identified above, there is justification for housing to be introduced on the site whilst it could be maintained that it would be inappropriate elsewhere in the LSIS.

- 11.29 Affordable workspace: Policy 2.7 of the London Plan identifies that the Mayor and boroughs should manage and improve the stock of industrial capacity to meet both strategic and local needs, including those of small and medium size enterprises, start-ups and businesses requiring more affordable workspace, including flexible, hybrid office/industrial premises.
- 11.30 Policy DM5.4 sets out the size and affordability of workspace that will be required as part of new commercial developments, and requires that major development proposals for employment floorspace within Employment Growth Areas must incorporate an appropriate amount of affordable workspace and/or workspace suitable for occupation by micro and small enterprises.
- 11.31 The scheme would meet the requirement of Policy DM5.4 through the provision of 394m² (GIA) of the B1 (a-c) accommodation as affordable workspace as small managed units (90m² or less), which equates to 5% of the overall employment floorspace. The affordable units are located at ground floor level within a physically separate unit with a frontage to both Caledonian Road and the internal courtyard.
- 11.32 Retail: Policy CS14 (Retail and services) and Policy DM4.4 (Promoting Islington's Town Centres) seek to maintain and enhance the retail and service function of the borough's town centres through focussing major new retail and proposals in designated town centres. Policy DM4.4 requires a sequential approach to proposals for more than 80sqm of floorspace within the A Use Classes, which should be located within town centres, and where suitable sites within Town Centres are not available, Local Shopping Areas or edge-of-centre sites should be chosen.
- 11.33 The NPPF states at paragraphs 24-26 that:
- 'When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m²).
- 11.34 The National Planning Policy Guidance (NPPG) further advises that the impact test should be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible. The NPPG makes clear the test only applies to proposals exceeding 2,500m² of floorspace, unless a different locally appropriate threshold is set.
- 11.35 Policy DM4.1 identifies that proposals for major housing developments are to incorporate small shop units where there is no accessible provision of essential daily goods available within a short walking distance (within 300m). Policy DM4.4 requires applications for more than 80m² of A-class retail uses to be located within designated town centres and where suitable town centre locations are not available, Local Shopping Areas or edge of centre sites should be chosen. Out of centre sites may be acceptable where

- i) alternative sites within town centres, local shopping areas and edge-of-centre locations have been thoroughly investigated
- ii) the development would not individually or cumulatively with other development have a detrimental impact on the vitality and viability of town centres and local shopping areas
- iii) the development would be accessible to all by a sustainable choice of transport.

11.36 The proposed development provides ground floor retail units on site 1 comprising approximately 569m² (GIA) of flexible Class A1-A3 uses fronting Caledonian Road. The site is not located within a designated town centre, but is located immediately adjacent the Caledonian Road Local Shopping Area which is directly north of Market Road.

11.37 The applicant argues that the proposal will meet the requirement of Policy DM4.1 in that the retail element within the proposals is being provided to serve the wider residential and commercial elements within the development. The retail use is therefore location specific which is required to serve a specific need that will be created within the immediate area.

11.38 The applicant has not carried out an impact assessment as required by the NPPF whilst the application does not address the requirement of Policy DM4.4 for a sequential assessment. In view of the findings of the Market Report and given the strength and complexity of the inner London economy it can be reasonably anticipated that there will be significant demand for the proposed office (B1a) and flexible (A1-A3) floorspace. The NPPF guidance is provided at a national level and is equally applicable to, say, a rural market town. It is intended to protect the vitality and viability of town centres which have, in recent times, been threatened by out-of-town development, often more dependent on car use. It may be argued that the approach required by the NPPF is less relevant to the complex, dynamic and successful inner London economy which comprises network of town centres in close geographical proximity, all served by a comprehensive public transport network. Given these economic indicators detailed within the Market Report a subjective assessment may conclude that the provision of the proposed office and retail floorspace in this location with a PTAL of 6a (excellent) would be unlikely to affect demand in the wider locality such that there will be substantive harm to the vitality and viability of town centre or sequentially preferable sites. Furthermore, it should be noted that B1(c) Class uses are considered appropriate within the Brewery Road LSIS and these are not precluded by the 4,482m² of the proposed employment floorspace. It is also the case that active street frontages are generally sought by provision of retail uses to bring activity and vitality to routes such as Caledonian Road. Accordingly, concern is not raised that the applicant has not carried out a town centre impact assessment or a sequential approach in respect of the retail uses.

11.39 Community Facility: Paragraph 70 of the NPPF supports the delivery of social, recreational and cultural facilities that meet community need. The single storey building proposed directly adjacent the Grade II listed Methodist Chapel will provide new modern facilities for local community groups, including the Methodist Chapel to use. The new facility has also been designed with the ability to form an extension to

the existing Grade II Methodist Chapel in the future if necessary. The proposed community building represents an inappropriate use within the LSIS. However, in view of the community benefits and the overall benefits of the scheme which are considered to outweigh the harm from the conflict with Policy DM5.3, the community building is considered acceptable in land use terms.

Design & Appearance

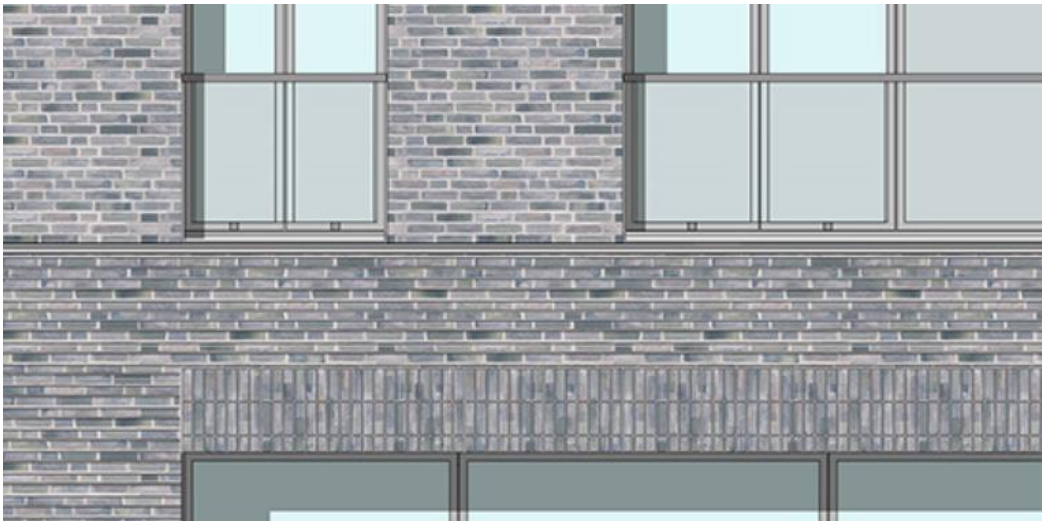
- 11.40 Policy DM2.1 (Design) requires all forms of development to be of a high quality, to incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Development which fails to take the opportunities available for improving the character and quality of an area and the way that it functions will not be supported.
- 11.41 The scheme has been the subject of extensive pre-application discussions with Officers and it is considered that this process has resulted in significant improvements to the initial proposals in design terms.
- 11.42 Site Layout / Building Lines: The proposed development would promote a traditional street pattern with buildings fronting Caledonian Road, Brewery Road and Market Road, which is considered appropriate. The the more irregular shaped 'feature' building will be located to the rear of the site, enclosed by the remainder of the Site 2 development and backing onto Market Road Gardens. In this location it is considered that there is an opportunity for the building to create its own character to an extent and the shape of the footprint of the building is considered appropriate.
- 11.43 A local objection raised concerns that the buildings fronting Caledonian Road will not be set back as they are presently. The front boundary of the site is in line with the Methodist Church and 'Cally' public house which bookend the Caledonian Road frontage of the northern part of the site. Accordingly, a 4m wide strip of the pavement along this part of Caledonian Road is within the ownership of the applicant and it is proposed that this would be retained as pavement. This stretch of pavement would be between 7m and 8m wide, which is considered generous. The remaining buildings on comply with established building lines.
- 11.44 Height/Massing: Policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive. Part (E) states that:
- 'New buildings and developments need to be based on a human scale and efficiently use the site area, which could mean some high density developments. High densities can be achieved through high quality design without the need for tall buildings. Tall buildings (above 30m high) are generally inappropriate to Islington's predominantly medium to low level character, therefore proposals for new tall buildings will not be supported.'
- 11.45 Whilst not directly applicable to the proposal site, the supporting text to Finsbury Local Plan Policy BC9 provides some guidance on the application of the above policy at paragraph 11.2.7, which states that:

‘The 30 metre limit identified within Policy BC9 should be taken to mean the distance between the average ground level of the site and the highest point of the building or structure.’

- 11.46 The applicant has submitted an additional plan detailing the ground levels within Site 2 and demonstrating that Building 8 would be less than 30m above the average ground level. Accordingly, and subject to a condition regarding datum levels (condition no. 38), it is considered that the proposal complies with Policy CS9.
- 11.47 Building 8 is proposed as a ‘feature’ building to the rear of the site and will be 10 storeys in height. The building is intended to represent the centre piece of the development. The height of the building should be carefully considered in view of the fact that it is approaching 30m in height, and there is a presumption against buildings over 30m in this part of the borough. The building is considered to be of high quality design and it would occupy a relatively spacious setting within Site 2. It will be enclosed within the site by Buildings 2-7 and 9 and would relate primarily to the proposed buildings within the site and the adjacent parkland as opposed to existing development in the locality, and in this regard there is an opportunity for the building to create its own character. It is also the case that the building will not be unduly visible from Caledonian Road and Brewery Road whilst it will be screened by trees when viewed from Market Road. It is therefore considered that, on balance, the height of Building 8 is acceptable.
- 11.48 The Design Review Panel expressed reservations in relation to building heights following earlier presentations of the scheme. However, it is noted that building heights were not raised as a concern at the most recent Design Review Panel.
- 11.49 The highest building on the Caledonian Road frontage will be 8 storeys (including the mezzanine), and it is noted that the highest existing buildings along this part of Caledonian Road is the 6 storey block to the north of the junction with Market Road. It is considered that the stepping up in height of the adjoining buildings on the Caledonian Road frontage succeeds in achieving a satisfactory relationship with neighbouring development to ensure that these buildings would sit comfortably on the street scene and relate satisfactorily to the adjacent listed buildings. The heights of the buildings fronting on Market Road and Brewery Road are considered to relate satisfactorily to their surroundings.
- 11.50 Detailed Architectural Design: The street facing elevations of the buildings would comprise a ground floor (with mezzanine) commercial base with residential above. The buildings are intended to appear as distinct, individual blocks whilst the development would be unified through clear visual commonalities, as illustrated below:



- 11.51 The brickwork and fenestration treatment is intended to provide a heavier appearance to the base of the building and lighter appearance to the top. The base will feature a corduroy brickwork pattern (alternate courses pulled forward) and soldier course brickwork to emphasise the heavy appearance. An 'ostrich skin' brickwork technique involving random bricks pulled forward is proposed to the upper floors and is intended to soften the appearance of the residential elements. These treatments are indicated below.



11.52 The elevational detailing including the brickwork techniques and the varied fenestration proposed will serve to add interest to the elevations of the building, particularly when viewed close up. It is considered that the frontages to Caledonian Road would appear well articulated.

11.53 Materials: The development will incorporate contrasting bricks are intended to give 'personality' to the individual buildings and a 'sense of depth of the composition' of the development.:

- Type A – Foreground coloured multi-stock brick (Klinkerwerweke Muhr - Borghees + 7 Westfalisch Bunt Mix)
- Type B – Neutral middle ground brick (floren polaris)
- Type C – Background monochrome brick (Wienerberger - Bemmell Blue Stock).



TYPE A



TYPE B



TYPE C

11.54 However, in order to achieve a high quality appearance it is considered essential that the buildings incorporate a high quality of materials and detailing. It is considered that alternatives to the bricks indicated within the illustrative details of materials may be preferable and these can be secured by condition (condition no. 3).

11.55 Concerns have been expressed by officers regarding the unrelieved and overbearing appearance on the street scene of the proposed block on Site 1, in particular given its bulk and massing and the choice of dark coloured materials, which is not contextual. The following CGIs provide an indication of the appearance of the block on the street scene:

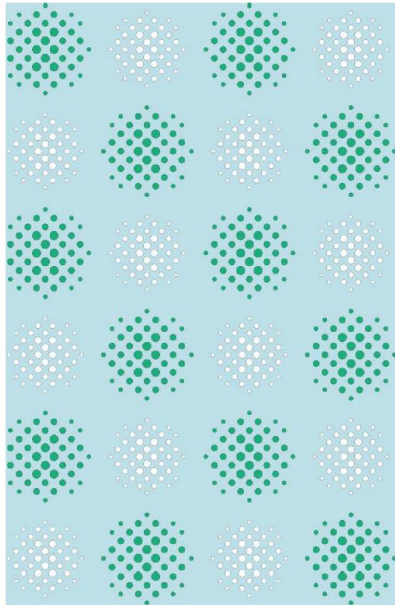




- 11.56 In response, the applicant has amended the proposed palette of materials to be more in keeping with the buildings on Site 2, as illustrated on the following drawing.



- 11.57 This approach would succeed in breaking up the elevation of the building and thereby address concerns regarding its unrelieved and overbearing appearance. However, it would detract from the individual appearance of the building and it would read very much as part of the same development as that proposed on Site 2. It is considered that the brickwork requires careful consideration to ensure a satisfactory appearance on the street scene. This matter can be addressed through a condition securing details of materials to ensure an appropriate façade to the Site 1 building (condition 3).
- 11.58 Building 8 will feature a glass rainscreen cladding system which is intended to provide a distinct appearance within its parkland setting and to contrast with its brickwork surroundings. The cladding has been selected for its 'lightness and reflective qualities' and its proposed appearance is indicated below.



Proposed Glass rainscreen pattern

11.59 The applicant has provided details of other buildings which have used the 'rainscreen' cladding system and it would appear to be a successful material, although a suitable regime for cleaning and maintenance would appear appropriate to ensure an ongoing high standard of appearance. It would appear that this material has not been used extensively for residential buildings, although the applicant has provided the example below. It can be considered that the proposed building would not have a typically residential character. However, on the basis of

the information provided it is considered that the 'feature' building has the potential to represent a successful, striking and vibrant centrepiece in a location which, due to the backdrop of the parkland and the surrounding development within the application proposal, has the potential to create its own character. Planning permission would be subject to a materials condition therefore the specific appearance of the cladding would be subject to the Council's approval.

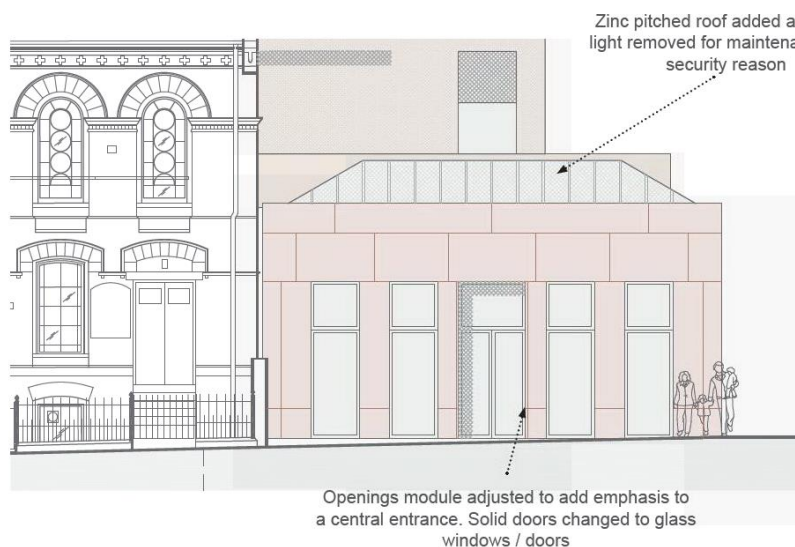
Almere residential building, Holland



- 11.60 Impact on Heritage Assets: Policy DM2.3 specifically considers heritage and sets out requirements for development proposals that will impact heritage assets or Islington's historic environment. It states that heritage assets will be conserved and enhanced in a manner appropriate to their significance, and that development which makes a positive contribution to the Borough's local character and distinctiveness will be encouraged.
- 11.61 The existing buildings to be demolished are of no architectural merit, and as viewed in the context of both the Grade II listed Methodist Chapel and the locally listed Public House, detract from the quality of the setting and thereby damage the significance of the heritage assets.
- 11.62 The adjacent 5 storey building fronting Caledonian Road would appear somewhat overbearing by reason of its height and massing immediately adjacent to the Church. This relationship is evident from the CGI below:



- 11.63 Any reduction in the height of the adjacent block would necessitate a corresponding reduction in the height of the remainder of the blocks on the Caledonian Road frontage within Site 2. It is considered that this would result in significant implications for the scheme overall, including the delivery of affordable housing. It is therefore considered that the impact of the development on the setting of the listed building is acceptable in planning terms.



Summary: The applicant has responded to Officer input and the scheme has been further informed by Design Review Panel feedback and is considered to represent a good standard of design which responds to its context on Caledonian Road whilst creating its own character through the 'feature' building. Overall, the development would be sympathetic in both scale and appearance to the local context and complementary to the local identity. The benefits of the scheme in terms of design and improvements to the character of the surrounding area are considered to weigh in favour of the proposed development. It is considered that the public realm to the rear of the site would be well activated by both residential foyers and commercial

units and the proposed hard and soft landscaping will result in a high quality public realm which will benefit the area.

Density

- 11.64 The London Plan encourages developments to achieve the highest possible intensity of use compatible with the local context. The development scheme proposes a total of 252 new residential dwellings.
- 11.65 In assessing the appropriate housing density for the application site it is necessary to consider the Density Matrix (Table 3.2) within the London Plan, which notes that it would not be appropriate to apply these limits mechanistically. In particular, the local context as well as design considerations should be taken into account when considering the acceptability of a specific proposal.
- 11.66 The site has a public transport accessibility level (PTAL) of 6a (Excellent). Table 3.2 and London Plan Policy 3.4 suggests that a density level of 200-700 habitable rooms per hectare is appropriate in an urban location whilst 650-1100 habitable rooms per hectare is appropriate in a central location. Urban and central locations are defined as follows:

‘Urban – areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys located within 800 metres walking distance of a District centre, or along main arterial routes.

Central – areas with very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of an International, Metropolitan or Major town centre.’

- 11.67 Whilst the site’s surroundings may be considered to possess some of the characteristics of a central location they are closer to meeting the definition of an urban location. It is appropriate to calculate the residential density on a net basis as follows:

Total area of the site = 0.89ha.

Total residential GIA = 25,382m² (75%)

Total non-residential GIA = 8,303m² (25%)

Total habitable rooms = 735

Net site area = 0.67ha

Density = 1,097 habitable rooms per hectare

- 11.68 The residential density would therefore fall within the London Plan Density Matrix parameters for a central site but would exceed the density range for an urban site. However, it should be noted that the site adjoins an area of open space and that the spatial standards within the rear part of Site 2 are reasonably generous for an urban location. Furthermore, the site has an excellent PTAL rating and good access to local shops and services whilst the scheme is considered to represent an acceptable quantum of development from a design point of view. Accordingly, the proposed development is considered acceptable in density terms.

Accessibility

- 11.69 London Plan Policy 7.2 states that development should achieve the highest standards of accessible and inclusive design, ensuring that developments can be used safely, easily and with dignity by all regardless of disability, age gender ethnicity or economic circumstances.
- 11.70 London Plan Policy 3.8 states there should be genuine housing choice which meets requirements for different sizes and types of dwellings in the highest quality environments. These requirements are reinforced by Islington Core Strategy CS12 and the Accessible Housing SPD.
- 11.71 Development Management Policy DM2.2 requires all new developments to demonstrate inclusive design whilst Policy DM3.4 provides housing standards for all types of residential developments. The Council's Inclusive Design SPD sets out guidelines for the appropriate design and layout of dwellings, including wheelchair accessible units.
- 11.72 The recent Housing Standards Review was followed by a Deregulation Bill on 16 March 2015 which was implemented on 1 October 2015. The Bill introduced a new National Standard for Housing Design as an enhancement of Part M of the Building Regulations which will be enforced by Building Control or an Approved Inspector. The new National Standard is broken down into 3 categories: Category 1 (Visitable Dwellings), Category 2 (Accessible and Adaptable Dwellings, similar to Lifetime Homes) and Category 3 (Wheelchair Accessible dwellings, similar to Islington's present wheelchair accessible housing standard).
- 11.73 The GLA have introduced a Minor Alterations to the London Plan which reframes London Plan Policy 3.8 (Housing Choice) to require that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London.
- 11.74 With regard to external space, open space and landscaping should comply with the principles of inclusive design, with particular consideration for surfaces and seating. All areas should have step-free access and access to amenity facilities such as the bin store will also need to be fully accessible. In the event of planning permission being granted, the above measures would be secured by planning condition to ensure that the proposed development is genuinely accessible and inclusive.
- 11.75 The application states that all of the units are designed to meet the Lifetime Homes Standards as defined by the Lifetime Homes Design Guide and Islington's Flexible Homes Criteria (Section 51 of the Inclusive Design in Islington SPD). 10% of the units (25 units) have also been designed to be easily adaptable to meet the needs of a wheelchair user. The submission of the application preceded the new National Standard for Housing detailed above and the residential units will therefore instead be secured as Category 2 and 3 units in order to reflect the new legislation. An appropriate condition is recommended (condition no.13).

- 11.76 The Council's Accessibility Officer has expressed some concern regarding the location of the disabled / blue badge parking and has suggested that some on-street disabled car parking is provided close to the site. This has been explored with the Council's Highways Officer who advised that Market Road has established waiting and loading restrictions to prevent the road from becoming obstructed around the boundary of the site and there are no opportunities for disabled bays. Brewery Road is predominantly light industrial units along with an ambulance depot and there are commercial size crossovers at many locations which puts parking at a premium. The on-street parking is a mixture of permit holders, pay and display and shared use and there is very limited opportunity for disabled bays.

Landscaping and Trees

- 11.77 London Plan Policy 7.21 states that existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place, right tree'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species.
- 11.78 Islington's Core Strategy identifies the importance of trees and open spaces in the borough with Policy CS15 "protecting all existing local open spaces, including open spaces of heritage value, as well as incidental green space, trees and private gardens".
- 11.79 Moreover, Islington Development Management Policy DM6.5 maintains that new developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of a development site and surrounding area, including protecting connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits, including through the incorporation of wildlife habitats that complement surrounding habitat and support the council's Biodiversity Action Plan.
- 11.80 Policy DM6.5 goes on to state that trees, shrubs and other vegetation of landscape and/or environmental significance must be considered holistically as part of the landscape plan. The following requirements shall be adhered to:
- i) *Developments are required to minimise any impacts on trees, shrubs and other significant vegetation. Any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits, must be agreed with the council and suitably reprovided. Developments within proximity of existing trees are required to provide protection from any damage during development. Where on-site re-provision is not possible, a financial contribution of the full cost of appropriate re-provision will be required.*
 - ii) *The council will refuse permission or consent for the removal of protected trees (TPO trees, and trees within a conservation area) and for proposals that would have a detrimental impact on the health of protected trees.*

- 11.81 The site contains a line of mature plane trees along the frontage with Caledonian road (T11 –T19) and a small group of trees (T20, T21 and T22) in the centre of the site. The small group provides very limited amenity. The Caledonian Road trees form a visually important loose avenue with trees of similar size and species along Caledonian Road.
- 11.82 There are street trees on the footpaths adjacent to the sites, including three Alders on Market Road and a Maple on Brewery Road which are managed by the Council's Highways Division. Two of the alders (T7 and T9) along Market road are large mature trees which make a significant contribution to the street scene whilst T8 is a much smaller alder (T8) and makes a limited contribution.
- 11.83 There is a mixed line of mature Lime and London Plane trees within Market Garden Park and Haywards Adventure Playground to the west of Site 2. These trees are directly adjacent to the boundary and their canopies partly over sail the site. The trees within Haywards Adventure Playground (T1, T2 and T3) are managed by Children's services and the remaining trees (T4, T5 and T6) by Islington Parks.
- 11.84 The London plane trees are part of the historic landscape dating back over a century to the initial layout of the park. They have enjoyed unobstructed canopy growth since then and remain relatively un-pruned. The Council's Trees Officer notes that the large London planes are majestic in scale and, aside from T6 which has been heavily pruned in response to declining health, the trees are of good form and vigour. The Trees Officer further advises that the historic, landscape and amenity value of these trees is very significant borough and London wide and that there are very few trees of this scale within Islington.
- 11.85 The large trees on and adjacent to the site are considered to contribute materially to the amenities of the locality and to play an important role in providing a sense of scale, maturity and textural diversity to the immediate locality. The trees also provide important environmental benefits.
- 11.86 None of the above trees are protected by TPOs. However, this is due to the fact that they have not been threatened by inappropriate works or removal previously and therefore a TPO has not been necessary. The Council's Trees Officer advises that the London Planes (T1, T2 and T4) are worthy of the imposition of a TPO.
- 11.87 The development would require the removal of three trees onsite (T20, T21 and T22) and two street trees (T9 and T23). The three trees in the middle of the site (T20, T21 and T22) are small, of poor quality and provide very limited amenity. Accordingly, they are not considered a constraint to development.
- 11.88 T9 is a large, mature alder tree and its removal would be detrimental to the amenity of the street scene. T23 is a mature (13m) maple on a very narrow stretch of pavement on Brewery Road and is the only street tree on this stretch of the road.
- 11.89 The Arboricultural Assessment accompanying the planning application argues that the removal of T9 is justified by the requirement to provide the service road in the proposed location. It further advises that the tree is in poor health and, having been hit numerous times by servicing vehicles, has a limited remaining life span. The

Assessment states that T23 is a low quality tree and its loss can be adequately mitigated through a suitable replacement tree within the landscaping scheme. The Council's Trees Officer disagrees with the categorisation of these two trees and advises that their benefits to the locality should not be undervalued and that there are no justifiable arboricultural reasons for their removal. In order that their removal is considered acceptable the applicant is required to make a financial contribution equivalent to the full CAVAT (Capitol Asset Value of Amenity Trees) value of the trees to secure mitigating tree planting in the Borough. Suitable re-planting sites should be sought as close to the lost trees as practicable. Alternatively, appropriate sites should be identified within the ward. The applicant has indicated that they are agreeable to make a financial contribution equivalent to the CAVAT value of the trees to be secured through the Section 106 agreement.

- 11.90 The retention of the large London plane trees on the Caledonian Road frontage (T11 –T19) is considered to be ambitious due to the limited space in this area which will result in the loss of roots and canopy reduction to facilitate the construction of the foundations of Building 3, 4, 5 and 6. However, the proposed measures to ensure the retention of these trees are broadly accepted subject to the submission of further satisfactory details relating to methods of construction.
- 11.91 It is noted that the proposals will have a minimal impact on the roots of trees within Haywards Adventure Playground and Market Road Gardens. However, there are significant concerns relating to the impacts to the canopies of these trees due to the locations of buildings 8 and 9 in relation to trees T1, T2, T4 and T5. It is considered that the proposal will result in an inappropriate level of pruning to facilitate construction as well as post development conflicts. There will be residential windows within two metres of the trees branches and it is noted that vigorous re-growth will require annual pruning to prevent damage to the property. The inappropriately frequent and expensive pruning works would represent a significant financial burden on Children's services and the Parks Service. Conflicts would also result from the movement of the upper canopy in extreme weather events adding to a perception that the tree is dangerous in windy conditions as well as ground conditions too shady or dry for planting, repeated failed lawns, seasonal nuisance of leaf litter and honeydew. The construction of the proposed building will also block previously unobstructed sunlight to the trees.
- 11.92 At the time of writing a detailed survey of trees T1, T2, T4 and T5 was being carried out to provide a more accurate indication of the degree of pruning required to facilitate the development and any further comments from the Council's Trees Officer will be provided at the meeting. The applicant has also indicated that they agree to cover the cost of the annual pruning of these trees, with the monies to be secured through the Section 106 agreement.
- 11.93 At the time of writing the Council's Tree Officer recommends that planning permission should be refused on grounds of the excessive pruning and post development pressures on trees T1, T2, T3 and T4 identified above. Whilst there will be clear and identified material harm from a trees point of view, this harm should be balanced against the wider benefits of the scheme. It is considered that the harm to the character and visual amenities of the area that will result from the initial and ongoing pruning of these trees is outweighed by the substantial regeneration

benefits that the scheme will deliver. A comprehensive arboricultural method statement is required to ensure that the impacts on the trees to be retained are minimised and this can be secured by condition.

- 11.94 The site itself has no meaningful landscaping or tree planting. The loss of the small onsite trees can be mitigated by the through re-planting within the proposed landscaping.
- 11.95 Landscaping: The landscaping proposals include a comprehensive landscaping strategy which includes indicative details of hard and soft landscaping and which include several key features as follows:
- Improved public realm along Caledonian Road
 - Illuminated covered walkway into courtyard
 - Landscaped enclosed courtyard space
 - Resident's gardens and children's play space at podium levels.
- 11.96 The Council's Tree Officer notes that it is proposed to plant a small number of relatively small scale trees, with very limited growth potential due to the inadequate provision of soil. It is considered that this is inappropriate if the tree planting is to achieve a meaningful purpose and function. The trees will be expected to have a stunted and reduced useful lifespan and may need to be replaced as they repeatedly fail to establish and die. The Council's Trees Officer has made proposed measures which would address these concerns.
- 11.97 A landscaping condition is recommended to ensure that the applicant's landscaping proposals can be reviewed as appropriate in order to secure the delivery of a high quality scheme of hard and soft landscaping.

Biodiversity

- 11.98 The site adjoins the Market Road Gardens Site of Importance for Nature Conservation (SINC).
- 11.99 The application is accompanied by an Ecology Assessment (including Bat Survey) and its conclusions are summarised as follows:
- Scale and nature of the proposals will not give rise to any negative impacts upon designated sites for nature conservation
 - Potential for all protected species to be on-site was considered negligible or low and there are therefore no ecological constraints over development other than a requirement to avoid impacting nesting birds
 - If the proposed ecological enhancements are incorporated then the development will have a positive impact on the biodiversity value of the site and local area
- 11.100 The Council's Nature Conservation Officer has raised no objections to the proposal, subject to conditions securing bird and bat boxes.

Neighbouring Amenity

- 11.101 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan policy 7.6 identifies that buildings should not cause unacceptable harm to the amenity of in particular, residential buildings in respect of matters including privacy and overshadowing. Policy DM2.1 of the Development Management Policies Document 2013 identifies that satisfactory consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.
- 11.102 Daylight and Sunlight: In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 11.103 In terms of sunlight, a window may be adversely affected by a new development if a point at the centre of the window receives in the year less than 25% of the annual probable sunlight hours including at least 5% of annual probable sunlight hours during the winter months and less than 0.8 times its former sunlight hours during either period. It should be noted that BRE guidance advises that sunlight is only an issue to a neighbouring property where the new development is located within 90 degrees of due south.
- 11.104 Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:
- The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight); or*
- The area of the working plane in a room which can receive direct skylight is not reduced to less than 0.8 times its former value. (No Sky Line / Daylight Distribution).*
- 11.105 Average Daylight Factor (ADF) is another daylight measurement which requires 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where one room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. It should be noted that this test is normally applicable to *proposed* residential units, but in some cases is used as supplementary information (rather than key assessment criteria) to provide a clearer picture regarding impacts upon existing properties.
- 11.106 Daylight is also measured by the no sky-line or daylight distribution contour which shows the extent of light penetration into a room at working plane level, 850mm above floor level. If a substantial part of the room falls behind the no sky-line contour, the distribution of light within the room may be considered to be poor.
- 11.107 Sunlight: the BRE Guidelines confirm that windows which do not enjoy an orientation within 90 degrees of due south do not warrant assessment. For those windows that

do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:

In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period.

- 11.108 Where these guidelines are exceeded then daylighting and/or sunlighting may be adversely affected. The BRE Guidelines provides numerical guidelines, the document though emphasizes that advice given here is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.
- 11.109 The application site is located within an accessible location, where the potential of sites and density should, according to policy, be maximised where possible. Urban design considerations are also important when applying the guidance quoted above.
- 11.110 It is widely acknowledged that daylight and sunlight are fundamental to the provision of a good quality living environment and for this reason people expect good natural lighting in their homes. Daylight makes an interior look more attractive and interesting as well as to provide light to work or read by. Inappropriate or insensitive development can reduce a neighbour's daylight and sunlight and thereby adversely affect their amenity to an unacceptable level.
- 11.111 The Report identifies that due to the relatively low scale of development on the existing site that many of the surrounding properties have a relatively open outlook due to the undeveloped nature of the site and as such enjoy uncharacteristically high existing levels of daylight for an urban location of this type. As a result, the implementation of any massing which comes close to matching the scale of the surrounding context will result in reductions of daylight and sunlight that exceed the BRE Guidelines recommendations. Therefore in order to evaluate the daylight and sunlight position it is necessary to examine the retained levels of daylight and sunlight amenity in the surrounding properties and evaluate whether they are reasonable. A detailed examination of the daylight and sunlight position taking this approach shows that whilst there are properties that experience relative reductions that are in excess of the BRE Guidelines recommendations, the retained levels of daylight and sunlight amenity accord with those that are typical for a dense urban environment of this type. The report also concludes that the vast majority of the proposed accommodation will receive good levels of daylight amenity that are in excess of the BRE Guidelines and that all amenity spaces within the site will also meet the BRE Guidelines.

11.112 Daylight and Sunlight Losses for Affected Properties Analysis: Residential dwellings within the following properties have been considered for the purposes of daylight and / or sunlight impacts as a result of the proposed development:

- 1-47 Xchange Point
- 12 Market Road
- 453 Caledonian Road
- 430-434 Caledonian Road
- 420-426 Caledonian Road
- Carrick House
- 419 & 419A Caledonian Road
- Fulbeck House
- Methodist Church
- Pavilion Building in Market Road Gardens.

11.113 1-47 Xchange Point: The BRE assessment indicates that 9 windows will experience reductions in VSC in excess of 20% contrary to BRE Guidelines. Of these 9 windows, 3 would have reductions of between 20-30% which is considered to be a lesser/minor infringement in urban areas. 6 windows would experience reductions in VSC of between 30-40%. Some of these windows are either secondary side windows or are located underneath balconies and therefore have a restricted daylight potential due to the inhibitions from the property's own design. The BRE acknowledge that where windows are restricted by balconies, alternative analysis can be undertaken which removes the balconies as an obstruction when assessing the losses of daylight and sunlight. Additional analysis has been undertaken which demonstrates that the reduction in VSC to 4 of these windows would be between 20-30% if the balconies were not in place and this level of reduction would generally be considered acceptable in an urban area. 2 windows would have a reduction in VSC of 33% and 36% which would result in a proposed VSC of 21% and 19% respectively.

11.114 The daylight distribution analysis demonstrates that 95 windows would experience nil loss of daylight distribution whilst a further 5 windows would experience a 1% or less reduction in daylight distribution. In view of the fact that the daylight distribution to these rooms would meet BRE Guidelines it is considered that the daylight impact upon 1-47 Xchange Point is acceptable.

11.115 The sunlight analysis demonstrates that all of the windows and rooms in this property except for two will meet the BRE Guidelines recommendations in respect of sunlight. The two windows which do not meet the Guidelines are located underneath balconies at first and second floor level and have restricted sunlight potential due to the design of the property. Additional sunlight analysis has also been undertaken which removes the balcony as an obstruction when assessing the sunlight potential. This analysis demonstrates that the windows would meet the Guidelines if the balconies were not in place.

11.116 12 Market Road: This property faces directly south over the taller element of the proposed development and there is presently a very open outlook over a low rise building. Accordingly, the property currently benefits from high levels of daylight

close to the maximum VSC value of 40% VSC. It would therefore be anticipated that the introduction of higher density development that would be more typical of the site's context would be likely to result in VSC reductions in excess of the 20%-30% that would normally be considered acceptable. The proposed development would result in 12 windows to 12 Market Road having a 30-40% reduction in VSC whilst a further 8 windows would have a 40-50% VSC reduction and 3 windows would have a 51-52% reduction. Whilst there will be significant VSC reductions it should be noted that the retained levels for these windows would be over 20% for 14 of the windows and between 15-20% for a further 8 windows, whilst 1 window would have a VSC level of 13%. The retained VSC levels are therefore generally typical of a dense urban location and the relative reductions can be considered an inevitable consequence of redeveloping the site to a density more appropriate to its context.

- 11.117 Of the 17 windows within this property, 5 will experience a reduction in daylight distribution of 20-30%, 3 will have a 30-40% reduction and a further 4 will have a 40-50% reduction. 2 windows will have a 50-60% reduction and a further 2 experiencing a 60-70% reduction in daylight distribution. This significant reduction is due to the high levels of daylight currently received whereas the daylight distribution following redevelopment would be more typical of a building within a more densely built urban context.
- 11.118 The sunlight analysis demonstrates that all but one of the windows and rooms in this property will meet the BRE Guidelines recommendations. The only window which does not meet the recommendations is at lower ground floor level and will receive 4% of APSH (marginally short of the recommended minimum of 5% of APSH) but will receive 37% of APSH overall, which is in excess of the recommended minimum of 25%.
- 11.119 453 Caledonian Road: The NSL analysis demonstrates that one room within the property will fall marginally outside of the BRE Guidelines recommendations with a daylight distribution reduction of 23% which is considered acceptable within a built up urban context. The VSC analysis demonstrates that 6 of the windows in this property would experience reductions in daylight above BRE Guidelines. Three of these windows would experience a reduction of between 20-30% which is generally considered acceptable in a built up urban area. The remaining three windows would experience 33%, 41% and 48% reductions in VSC. However, these windows are located underneath balconies which restrict their daylight potential. Additional analysis which assumes a scenario with the balconies removed demonstrates that all three of these windows would all meet the BRE Guidelines if the balconies were not present. It is also noted that these windows serve rooms that experience very little reduction in skylight in the NSL assessment, with only 1 window experiencing a loss of daylight distribution of greater than 20% (23.3%). It is therefore considered that this property will retain adequate daylight amenity.
- 11.120 All of the rooms in this property will meet the BRE Guidelines recommendations in respect of the sunlight assessment.
- 11.121 430-434 Caledonian Road: The BRE assessment demonstrates that while there would be reductions in daylight these would be within the BRE Guidelines and are

considered acceptable. There would be nil loss of daylight distribution with the exception of 1 window which would experience a 0.2% loss.

- 11.122 None of the windows in these properties with the potential to be affected by the proposed development face within 90° of due south and therefore no sunlight assessment is considered necessary.
- 11.123 420-426 Caledonian Road: These properties currently have a relatively open outlook due to the low existing buildings on the site and the existing VSC levels are all in excess of 27%. The proposal would result in 14 of the 31 windows having a 20-30% reduction in VSC whilst a further 4 windows would have a reduction of 30-40%. The retained VSC for 12 of these windows would be over 20% whilst the remaining 2 windows would have a retained VSC of over 18%. The VSC reductions that will exceed the 20% recommendation within the BRE Guidelines are considered to be a consequence of redeveloping a site which is currently occupied by relatively low rise buildings to a density more typical of its urban context. The retained levels of daylight to the affected rooms are considered to be reasonable in view of the site's urban context.
- 11.124 23 of the 27 windows will experience a reduction in daylight distribution within the BRE Guidelines. 2 windows to No. 420 Caledonian Road will have a daylight distribution reduction of 44.2% and 49.6% whilst 2 windows to No. 422 Caledonian Road will experience reductions of 20.4% and 36.2%. This level of reduction is considered a result of the relatively open outlook currently enjoyed by the occupants of these properties.
- 11.125 The majority of the rooms within these properties would meet the BRE Guidelines recommendations in respect of the sunlight assessment. Three rooms at ground floor level would experience reductions that technically exceed the Guidelines recommendations. However, these rooms are obstructed by the entrances to the properties which project immediately to the south of the windows and significantly limit the sunlight potential available to the rooms. Two of the rooms record in excess of 19% APSH annually which is close to the recommended 25% target value and is considered reasonable within an urban context. The remaining room would experience a more significant impact and would receive 14% APSH annually. However, this is considered acceptable in view of the context of the site and the limitations imposed upon the windows by the design of the affected property.
- 11.126 Carrick House: This property faces west and the existing VSC values are generally in excess of 30%. The majority of the windows would have VSC levels of over 20% with the proposed development in place, whilst 20 windows would have VSC levels of 15-20% and this is partly due to adjacent projections in the façade of the building. It is therefore again the case that the relative reductions in VSC levels are a result of the low rise characteristics of the existing buildings on the site and the proposed redevelopment of the site to a density more typical of its urban context.
- 11.127 The applicant has undertaken an additional analysis of Irvine House which is located to the rear of Carrick House and is of similar design. The existing levels of VSC for Irvine House are typically under 20% and on the lower two floors are closer to 10-15%. It is therefore noted that the daylight potential in Carrick House with the

proposed development is in place will be higher than the existing levels of daylight in Irvine House. On this basis the Report suggests that a retained VSC level of around 20% is commensurate for a dense urban environment of this type and that the retained daylight potential within Carrick House accords with levels in other residential accommodation in this locality.

- 11.128 26 of the 28 ground floor windows to Carrick House would experience a reduction in daylight distribution in excess of BRE Guidelines with the vast majority having a reduction of between 40% and 60%. It should be noted that a similar reduction in daylight distribution to these windows would occur if there was a 'mirror image' building on the development site which would be considered appropriate in height and bulk in this context. Most of the first floor windows would experience daylight distribution reductions of between 30% and 50% whilst the second floor windows would be less affected with around half of the windows experiencing a reduction of generally between 20% and 40%. A further 7 windows would experience reductions of up to 32% at third floor level and above.
- 11.129 The vast majority of rooms in this property meet the BRE Guidelines recommendations in respect of sunlight, and those which fall short of the 25% APSH recommendation generally fall marginally short. Several rooms would experience more noticeable reductions and this is due to their location next to areas of the façade which project immediately to the south and limit their sunlight potential. It is therefore the case that the effect of the proposed development on these rooms is more pronounced due to the design of Carrick House itself. Overall, the retained sunlight potential would be reasonably high for an urban location.
- 11.130 419 & 419A Caledonian Road: Most of the windows in these properties meet the BRE Guidelines recommendations in respect of the VSC form of assessment. However there are two windows that record reductions that are slightly in excess of the recommended 20% margin in the Guidelines. One window will experience a 43% reduction in its VSC level but this is a secondary window to an otherwise well lit room. The other room would experience a 29% reduction in VSC but the retained VSC level is 26.3% and is therefore fractionally below the recommended 27% recommendation. It is therefore considered that, in view of the urban context of the site, adequate levels of daylight would be retained at these properties.
- 11.131 There would be a nominal impact on the daylight distribution to these properties with the exception of 1 window which would experience a 41.1%.
- 11.132 All the windows in these properties that are relevant for sunlight assessment meet the BRE Guidelines recommendations.
- 11.133 Fulbeck House: This property is comprised of duplex residential units with an external corridor providing access to the accommodation at ground and second floor levels. The arrangement of the property is such that the windows at ground and second floor level are significantly recessed underneath an overhang and have very limited sky-view. Accordingly, the existing VSC for the ground and second floor windows are below 10%, whereas those at first and third floor level which are not restricted by the overhang are above 30% VSC. The VSC reductions to the windows affected by the overhang would exceed the recommendations in the BRE

Guidelines. The applicant has undertaken an alternative assessment of the daylight impact with the overhangs removed which demonstrates that all of the windows within Fulbeck House would meet the BRE Guidelines recommendations with the windows removed. The NSL form of analysis also demonstrates that the loss of daylight would be well within the recommendations of the BRE Guidelines where the windows are not obstructed by the overhangs. It is therefore considered that the daylight impact to this property is acceptable.

- 11.134 Around half of the windows would experience reductions in daylight distribution in excess of BRE Guidelines with reductions between 20% and 40% with the exception of one window which would have a 62.4% reduction.
- 11.135 None of the windows in this property which face the site are relevant for sunlight analysis due to their orientation.
- 11.136 Methodist Church: The Report states that this property does not necessarily have a material expectation of sunlight as the windows are not stained glass. However, the windows serving the church hall have been assessed for completeness. It has been demonstrated that, whilst the individual south facing windows will experience reductions in sunlight that are beyond the recommendations in the BRE Guidelines, the total retained sunlight to the church hall will be reasonable and meet the Guidelines recommendations.
- 11.137 Pavilion Building in Market Road Gardens: The Report states that the specific use of this building is unclear, but the windows facing the proposal site have been included within the analysis to provide a comprehensive approach. The analysis demonstrates that there will be some reductions in VSC to individual east facing windows in this building that exceed the Guidelines recommendations. However, overall the retained levels of daylight for the building as a whole will be reasonable. The NSL analysis shows that the building will meet the Guidelines recommendations and the ADF analysis also shows the retained daylight amenity will be in excess of the recommended threshold for a living room.
- 11.138 The sunlight analysis shows that this property as a whole will retain high levels of sunlight that exceed the BRE Guidelines recommendations.
- 11.139 Outlook / sense of enclosure: The impact of a development on outlook can be considered a material planning consideration if there is an undue sense of enclosure for neighbouring residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard with any assessment subjective as opposed to empirical with key factors in this assessment being the local context and arrangement of buildings and uses.
- 11.140 The nearest residential dwellings are Nos. 419 and 419A Caledonian Road. There would be no significant loss of outlook from the rear facing windows to No. 419 whilst the outlook from the rear windows to No. 419A is currently significantly impaired by No. 421 and the proposed development would not result in a significant increase in harm to outlook from this property. There is a north facing side window to No. 419 which would be approx. 7m from Building 1. In view of the urban context of the application site and the requirement of Policy DM2.1(iii) to make efficient use of the

site it is considered that the impact upon the accommodation served by this window would not be unduly harmful.

- 11.141 The proposed development would have separation distances in excess of 20m to the remaining nearby residential properties. In view of this degree of separation it is considered that the proposal would not result in an unduly harmful loss of outlook to nearby dwellings.
- 11.142 Overlooking / Privacy: Development Management Policy 2.1 identifies that 'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For instance where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm. Habitable rooms provide the living accommodation of the dwelling. Habitable rooms are defined as any room used or intended to be used for sleeping, cooking, living or eating purposes. Enclosed spaces such as bath or toilet facilities, service rooms, corridors, laundries, hallways, or similar spaces are excluded from this definition. However, service/utility/store rooms larger than 8sqm within single dwellings will normally be considered as habitable rooms.
- 11.143 There would be no direct overlooking of any windows to Nos. 419 and 419A Caledonian Road whilst all of the remaining windows to habitable rooms would be overlooked across a public highway, and accordingly would not result in a harmful loss of privacy. The proposal is considered acceptable in terms of overlooking and privacy.
- 11.144 Construction Impacts: In the interest of protecting neighbouring residential amenity during the construction phase of the development (having regard to impacts such as noise and dust) the applicant is required to comply with the Council's Code of Construction Practice. Compliance would need to be secured as part of a section 106 agreement together with a payment towards the monitoring of the site to ensure its neighbourliness. This payment is considered be an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project. The submission of a method statement for the construction phase and a construction logistics plan would also be required (conditions 4, 26).
- 11.145 To further address any concerns over noise and disturbance resulting from the construction of the development, a planning condition would be required to secure details to address the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception).

Quality of Resulting Residential Accommodation

- 11.146 Islington Core Strategy policy CS12 identifies that to help achieve a good quality of life, residential space and design standards will be significantly increased and enhanced from their current levels. The Islington Development Management Policies

DM3.4 sets out the detail of these housing standards. In accordance with this policy, all new housing is required to provide functional and useable spaces with good quality amenity space, sufficient space for storage and flexible internal living arrangements.

- 11.147 It is noted that there will be a generous number of residential cores, limited shared circulation space and good overall outlook.
- 11.148 Unit Sizes: All of the proposed residential units would comply with the minimum unit sizes as detailed within Policy 3.4 and within London Plan Policy 3.5, and the majority of units would exceed the minimum sizes. The proposal is therefore considered acceptable in terms of unit sizes.
- 11.149 Aspect/Daylight Provision: Policy DM3.4 part D states that 'new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated'. The subtext at paragraph 3.47 advises that 'Dual aspect design is key to maximising natural light, cross ventilation and access to quiet parts of the home. In exceptional circumstances where single aspect dwellings may be acceptable, they must not be exposed to noise exposure categories C or D, or comprise family housing (3 or more bedrooms).
- 11.150 114 of the units will be single aspect, and of these 5 units will be north facing. The layout and design of the buildings have arisen, in part, from a requirement that the scheme should be acceptable in townscape terms. In order to achieve an efficient layout it is the case that some of the units will back onto the residential cores and it can be accepted that it is perhaps inevitable that a significant proportion of the units will be single aspect. None of the single aspect units will comprise family accommodation whilst the Council's Environmental Health Officer is satisfied that suitable noise mitigation measures can be incorporated into the development. Whilst the 5 north facing units are undesirable from a residential amenity point of view, these represent a small proportion (less than 2%) of the overall units and it can be accepted that, in view of the scale of the development, it may be, again, inevitable that a small number of single aspect units will be north facing in order that the scheme is acceptable in townscape terms.
- 11.151 Amenity Space: Policy DM3.5 of the Development Management Policies Document 2013 within part A identifies that 'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens'. The policy in part C then goes on to state that the minimum requirement for private outdoor space is 5 square metres on upper floors and 15 square metres on ground floor for 1-2 person dwellings. For each additional occupant, an extra 1 square metre is required on upper floors and 5 square metres on ground floor level with a minimum of 30 square metres for family housing (defined as 3 bed units and above). All of the units will meet and in many cases exceed the minimum requirements for private amenity space as set out in Policy DM3.5 through the provision of balconies, winter gardens and private gardens at ground floor level. Communal landscaped terraces, including under 5's play space, would be provided at podium level to the rear of Building 1 on Site 1 and either side of Building 8 within Site 2.

- 11.152 Air Quality: Policy 7.14 of the London Plan states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)). Policy DM 6.1 of the Development Management Policies document requires that development should not cause significant harm to air quality, cumulatively or individually. The application is accompanied by an Air Quality Management Plan which details an assessment identifying that the proposed development is a high to medium risk site for dust deposition and for fine particulate matter (PM10) concentrations and a medium to low risk site for ecological receptors. The Plan states that through good site practice and the implementation of suitable mitigation measures, the effect of dust and PM10 releases would be significantly reduced. The residual effects of dust and PM10 generated by construction activities on air quality are therefore considered to be insignificant. The residual effects of emissions to air from construction vehicles and plant on local air quality is considered to be insignificant.
- 11.153 The Council's Environmental Health Officer has raised no objections to the proposal in terms of air quality, subject to a condition (condition x) securing a further, detailed air quality report and air pollution mitigation measures. The proposal is therefore considered acceptable in terms of air quality.
- 11.154 Noise: Development Management Policy DM6.1 states that noise sensitive developments should be separated from major sources of noise, and that noise generating uses within new developments should be sited away from noise sensitive uses. The application is accompanied by an Acoustic Report which was undertaken to establish the indoor ambient noise levels and examine compliance with external plant noise emissions criteria. The report provides recommendations in terms of room use planning and façade design in order to meet the adopted indoor ambient noise level design targets.
- 11.155 The Council's Environmental Health Officer has raised no objections to the proposal in terms of noise, subject to conditions securing sound insulation and noise control measures. The proposal is considered acceptable in terms of noise.
- 11.156 Playspace: Policy DM3.6 requires Children's play space to be provided in line with the standards for provision published in the Mayor's Play and Informal Recreation. The total requirements for the development are 1,145sqm as follows:
- Ages 0-4 – 595sqm (within 100m)
 - Ages 5-11 – 344sqm (within 400m)
 - Ages 12-18 – 206sqm (within 800m).
- 11.157 The proposed development will provide several play spaces suitable for use by children aged 0-4 years old. There will be a total of 605m² informal play space on site which is in excess of the policy requirement for this particular age group.
- 11.158 The application states that the communal open space and play space provision has been designed to be inclusive and accessible for all and to be safe and overlooked by the development in accordance with the principles of Secured by Design. The application indicates that play space provision for children between ages of 5-11

cannot strictly be met by the development as the informal play areas proposed do not meet the standards within the Mayors SPG. The application notes that the site is well located within easy access of a number of areas of open space suitable for play and physical activity, with 8 open spaces, play areas and sport facilities within an 800m of the site.

11.159 Should planning permission be granted the applicant will be required to make an Islington Community Infrastructure Levy (CIL) payment upon commencement of development, in accordance with the Charging Schedule (2014). CIL monies are allocated to the improvement of parks and play spaces across the borough, including the nearby Caledonian Park. In view of the availability of off-site open space, play areas and sports facilities for children aged 5+ and given the monies that will be secured for the improvement of parks and play areas it is considered that, overall, the scheme is acceptable in terms of play space. Details of the play space provision will be secured through the landscaping condition should planning permission be granted.

11.160 Dwelling Mix: The scheme proposes a total of 252 residential units with an overall mix comprised as follows:

Dwelling Type	Social Rent (Units / %)	Policy DM3.1 Target Mix	Shared Ownership (Units / %)	Policy DM3.1 Target Mix	Private (Units / %)	Policy DM3.1 Target Mix
1 Bed	2 / 2.4%	0%	5 / 25%	65%	43 / 28.6%	10%
2 Bed	59 / 72%	20%	15 / 75%	35%	107 / 71.4%	75%
3 Bed	21 / 25.6%	30%	0 / 0%	0%	0 / 0%	15%
4 Bed +	0 / 0%	50%	0 / 0%	0%	0 / 0%	0%
Total	82		20		150	

11.161 Policy CS12(e) requires a range of unit sizes within each housing proposal to meet the needs in the borough, including maximising the proportion of family accommodation in both affordable and market housing. Policy DM3.1 advises that new development should provide a good mix of unit sizes based upon Islington's Local Housing Needs Assessment. Paragraph 3.14 states that the mix of dwelling sizes appropriate to specific developments will also be considered in relation to the character of the development, the site and the area.

11.162 Since the adoption of policy DM3.1, which was informed by Islington's *Local Housing Needs Assessment* (2008) changes to housing legislation (the Welfare Reform Act 2012) to address the under occupation of social housing have created a greater demand for smaller social housing units. This is reflected by the higher proportion of 1 and 2 bedroom units proposed that will allow for mobility within the social housing sector to accommodate these national changes to the welfare system. The provision of smaller units will allow for mobility within the borough which would help to address under occupation.

11.163 The application states that the proposed mix has been designed to best accord with policy requirements whilst the proposed affordable housing has been developed in consultation with the registered provider Family Mosaic and the Council's Housing Division. The proposed housing mix is informed by the need to make the best and most efficient use of the site whilst ensuring that the development is sympathetic to its immediate context. The development would provide a significant proportion of social rented 3 bedroom family sized units whilst the provision of 2 bedroom private units would be close to the target requirement. Overall, whilst the proposed unit mix is not ideal within the context of Policy 3.1 it is considered that, given the requirement to ensure a good standard of layout and accommodation throughout the development, the unit mix is considered acceptable. The affordable housing offer on this site in terms of the quantity, quality and mix is considered to make a positive contribution to the housing needs of the borough.

Affordable Housing and Financial Viability

11.164 Paragraph 47 of the NPPF states that, to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. Paragraph 173 states that to ensure viability, *"the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable"*.

11.165 London Plan policy 3.12 states that the "maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes. It adds that negotiations on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation ('contingent obligations'), and other scheme requirements".

11.166 ICS policy CS12 (part G) states that Islington will meet its housing challenge, to provide more affordable homes by:

- requiring that 50% of additional housing to be built in the borough over the plan period should be affordable.
- requiring all sites capable of delivering 10 or more units gross to provide affordable homes on-site. Schemes below this threshold will be required to provide financial contribution towards affordable housing provision elsewhere in the borough.
- seeking the maximum reasonable amount of affordable housing, especially Social Rented housing, from private residential and mixed-use schemes, taking account of the overall borough-wide strategic target of 50% provision.
- delivering an affordable housing tenure split of 70% social housing and 30% shared ownership housing.

- 11.167 The London Plan Housing SPG (2012) requires that for schemes with a shorter development term, consideration should be given using s106 clauses to trigger a review of viability, if a scheme is not substantially complete by a certain date. These approaches are intended to support effective and equitable implementation of planning policy while also providing flexibility to address viability concerns such as those arising from market uncertainty.
- 11.168 The Affordable Housing Offer: Of the 252 residential dwellings proposed, 102 units will be provided as affordable housing. This represents 40.5% of the total residential units and 44.6% on a habitable room basis. The affordable housing element will be delivered and managed by the Registered Provider Family Mosaic. A total of 82 units will be provided as social rented units, equating to 80% of the overall affordable housing provision by units and 83% by habitable rooms. This represents a significant quantum of social rented housing which is in excess of the Council's policy requirements. The application is subject to a viability assessment to determine the maximum reasonable amount of affordable housing is being provided.
- 11.169 Within the affordable housing provision there is a policy requirement for 70% of the provision to be social rent and 30% as intermediate/shared ownership. Although the proposal does not include any intermediate housing a higher percentage provision of social rent tenure is not considered to be of concern given the identified housing needs for this type of accommodation and the emphasis of the policy for the provision of social rented housing.
- 11.170 Viability Review: In accordance with policy requirements, a financial viability assessment has been submitted with the application to justify the proportion of affordable housing offered. In order to properly and thoroughly assess the financial viability assessment, the Council appointed BPS Chartered Surveyors (BPS) to undertake a review of financial viability for this scheme. The assessment sought to determine the deliverability and viability of the proposed scheme.
- 11.171 The concept of viability testing is to determine the potential amount of planning obligations that can be sought before the return to the landowner and developer falls below a "competitive return". Firstly, a Residual Land Valuation (RLV) is calculated to ascertain the amount that can be paid for the site. This is calculated from the total value of the completed proposed development minus any development costs. Secondly, a Benchmark Land Value is established (based on the EUV of the current site), which is the measure against which the RLV is compared with to determine whether the scheme is viable.
- 11.172 The submitted financial viability assessment has been scrutinised by BPS and Council officers. The following provides a summary of the conclusions of the review of the financial viability assessment. However, given the detailed and comprehensive way that the BPS report deals with financial viability it is not attempted to fully summarise the report here and a redacted copy is provided at **Appendix 4**. The conclusions of the report are summarised as follows:
- The benchmark land value is based on the current use value (CUV) of the site to which a 20% premium has been added - BPS consider the CUV of the site to be reasonable but disagree with the 20% premium added to the CUV given

the relatively poor condition of a number of the buildings on site - it is suggested that a 10% premium would be more appropriate.

- The costs have been reviewed by BPS' Cost Consultant who has advised that the applicant's build costs for the delivery of the scheme appear reasonable.
- A review of the comparable evidence of sales values suggests that the values applied to the private units are reasonable and, given that the value of the affordable units would be based upon an offer from a registered provider, these are also considered reasonable.
- The assumptions relating to the retail and commercial spaces are generally considered realistic although BPS suggest that the void period for the retail space should be reduced and that the commercial rental values should be increased.
- The applicant's assumptions relating to ground rent are considered reasonable.
- The scheme currently produces a deficit, although less than the deficit suggested by the applicant's valuers. A sensitivity analysis demonstrates that the apparent deficit is capable of being bridged through a net increase in the value of the market housing of less than 5%. This margin is considered to be an acceptable commercial risk and it is therefore considered that the proposal could not realistically seek to adjust the level of affordable housing proposed with any credibility through subsequent challenge.
- Overall, as the scheme would remain in deficit, it cannot reasonably deliver any additional affordable housing.

11.173 Officers subsequently expressed concern that the scheme is shown to be in deficit given that the proposal is considered to be finely balanced in planning terms. Specifically, significant weight in planning terms could not be attached to an affordable housing offer which was not demonstrated to be deliverable. This concern was amplified following a recent appeal decision in Southwark (PINS ref. APP/A5840/S/15/3121484, Land at 2-2A Crystal Palace Road, East Dulwich, London SE22 9HB) whereby planning permission was granted for a scheme demonstrating a deficit and was immediately appealed made under Section 106BC of the Planning Act. The Inspector determined that the scheme could not viably deliver any affordable housing and the obligation was removed.

11.174 The applicant has sought to provide further clarification and assurances, in writing, of their intention to deliver the scheme as proposed. They advise that, given anticipated overall sales value growth across the timespan of the development, the scheme will be viable to deliver, returning an acceptable profit. The applicant explains that their business plan involves speculation, on a well informed basis, on future market movements to ascertain a current day position on the acceptability of development projects. This goes beyond the realms of the requirements under the NPPG and NPPF and London Plan guidance for viability assessments which promote a current day assessment.

11.175 The Council would normally assess viability using current day costs and values, Planning Practice Guidance (PPG) indicates that for phased schemes, changes in the value of development and costs of delivery may be considered at application stage. Officers have therefore accepted that it is appropriate to approach viability on a growth basis.

- 11.176 The applicant has provided an updated viability appraisal that specifically includes a 9.5% growth in residential sales values that is demonstrated to be required for the scheme to breakeven. The applicant has confirmed in writing that, 'On the basis of the inputs included in the appraisal, the scheme will be viable and given the size, formation, development sequencing and affordable housing position of this scheme, not only do we consider it deliverable, we are intending to commence development in line with the conditions of the legal agreement, as soon as it can be secured and certainly during the course of 2016.'
- 11.177 It is considered that, having regard to recent and long term trends, as well as market residential value forecasts, an assumption of 9.5% value growth (as a minimum) is not unrealistic for this location over the development programme. This approach is considered particularly appropriate as the applicant's viability assessment includes build cost inflation at 7.17% and it is considered appropriate that sales value growth is factored in alongside this.
- 11.178 A 9.5% growth scenario would ensure that the applicant can make the full carbon offsetting payment of £793,040 required by the Council can be secured. The applicant has requested that for cashflow reasons this payment is deferred until the project is substantially advanced and this is considered acceptable. On this basis it is considered that the applicant has satisfactorily demonstrated that the planning obligations set out later in this report, including the proposed affordable housing, are viable.
- 11.179 It should be noted that the projected sales value growth is based upon the viability position set out by the applicant's valuers, rather than the views of the BPS. Accordingly, a slightly lower level of sales growth would be required to breakeven based upon BPS' viability position.
- 11.180 Family Mosaic have also provided written confirmation of their agreement to acquire the 102 affordable units and that they are at an advanced stage of finalising the legal agreements and that they are assured by the applicant of the intention to implement the scheme (should planning permission be granted) and to deliver the affordable units as proposed.
- 11.181 A redacted draft contract with Family Mosaic has been provided and it is anticipated that this will be signed by the Committee date resulting in a legally binding position between the parties. An update will be provided at the meeting. Family Mosaic will be in contract with London Square before the Section 106 agreement is signed and therefore will be a party to the agreement. Whilst this does not guarantee the delivery of the affordable housing in itself, it would ensure that the agreement cannot be varied without Family Mosaic's consent.
- 11.182 The applicant has sought to provide further assurance of their intention to progress with the development as proposed by advising that the agreement to purchase the land will result in vacant possession being achieved on the majority of the site by end of January 2016, and across the whole site by March 2016 (the Site 1 lease expires later than the rest of the site). Accordingly, there is significant financial liability as soon as the income stream from the existing site is extinguished and, from a

commercial point of view the motivation to develop is high, and the penalty for not doing so is onerous.

- 11.183 It is recommended that the viability of the scheme will be subject to a review mechanism which would require the submission of an updated viability appraisal if the development has not been substantially implemented within 12 months of the grant of planning consent. An updated assessment will enable the viability of the scheme to be reconsidered in the event that the scheme is delayed to ensure that the proposals are based on an assessment of viability that is accurate at the point of delivery. The review will also help to ensure that the scheme provides the maximum reasonable level of affordable housing in line with Development Plan policy. The applicants have confirmed in writing that they agree to a review mechanism.
- 11.184 It is considered that, given the written assurances and the viability position demonstrated by the applicant along with the anticipated signing of a contract with Family Mosaic, the applicant has done all that could reasonably be expected to demonstrate their intention to deliver the scheme as proposed. It is further considered that the potential for a successful appeal under Section 106BC of the considered minimal.
- 11.185 In conclusion, the offer of 40.5% affordable housing by units (44.6% by habitable rooms) is considered to deliver a good mix of tenures and as supported by a financial viability assessment including further written assurances from the developer is considered the maximum reasonable amount of affordable housing and thus is considered to accord with policy.
- 11.186 The GLA Stage 1 report suggests that the affordable housing offer should be reviewed to assess whether further affordable housing could be delivered if affordable rented accommodation were also considered and if a London Plan tenure split of 60% social/affordable rent and 40% intermediate were proposed. Family Mosaic have advised that they have spent a year working with the applicant on the proposal and have advised on the mix and layouts of the affordable units whilst also liaising with the Council's Housing Division in relation to the size and mix of units required, in particular for the social rented units. On the basis that the affordable housing offer has been developed in consultation with the Council and Family Mosaic the proposed tenure split is considered to reflect an identified need and is considered appropriate.

Sustainability, Energy Efficiency and Renewable Energy

- 11.187 The London Plan (adopted July 2011) Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through energy efficient design, the use of less energy and the incorporation of renewable energy. London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.

- 11.188 All development is required to demonstrate that it has minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation (CS10). Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock (CS10).
- 11.189 The London Plan and Core Strategy require development proposals to make the fullest possible contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy; be lean, be clean, be green. Policy 5.2 of the London Plan requires the submission of a detailed energy assessment setting out efficiency savings, decentralised energy options and renewable energy production.
- 11.190 Policy CS10A of Islington's Core Strategy requires onsite total CO2 reduction targets (regulated and unregulated) against Building Regulations 2013 of 27% where connection to a decentralised energy network is not made and 40% where connection to a decentralised energy network is possible. The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010.

BE LEAN

Energy efficiency standards

- 11.191 The council's Environmental Design SPD states 'The highest possible standards of thermal insulation and air tightness and energy efficient lighting should be specified'. 'U values' are a measure of heat loss from a building and a low value indicates good insulation. The proposed U-values are: walls = 0.18, roof = 0.18, floors = 0.18 and glazing = 1.1 and these values are considered to be generally very good. The air tightness of the proposed building would be 3m3/m2/hr @ 50pa and this value is accepted. Low energy lighting is also proposed. These measures are supported and further details will be secured by condition should planning permission be granted.

BE CLEAN

District heating

- 11.192 DM7.3A requires all developments to be designed to be able to connect to a District Energy Network (DEN) if and when such a network becomes available. Specific design standards are set out in the council's Environmental Design SPD. DM7.3B and C state that where there is an existing or future DEN within 500m of the site, the development should connect. There is no available local DEN network to link up to within 500m of the site at present.
- 11.193 DM7.3D states that where there is no existing or proposed future DEN within 500m of the site, where possible developments should connect to a shared heating network, unless not reasonably possible. No shared heat network (SHN) is proposed and the council is satisfied that there are no current buildings or pending developments which could provide an opportunity for importing or exporting low carbon heating to the proposed development at this time. The applicant proposes that the system will be future-proofed for connection to a local heat network. This is

strongly supported, as this is an area where the Council envisages the further development of heat networks in the coming years.

Combined Heat and Power

- 11.194 The energy strategy proposes a gas fired combined heat and power (CHP) unit with additional heating provided by back up boilers which would deliver a 18% reduction in regulated carbon emissions.

BE GREEN

Renewable energy technologies

- 11.195 The Energy Strategy Report proposes a roof mounted solar photovoltaic (PV) installation which would generate kWh/year, equivalent to an annual CO2 emissions saving of 6 tonnes CO2 per year. The use of a solar photovoltaic array is supported. Further details of renewable energy technologies will be secured by condition should planning permission be granted.
- 11.196 The Proposed Development has been designed to achieve optimum overall energy performance with the commercial elements designed to achieve a BREEAM rating of 'Excellent' and the residential elements to follow the principles of the Code for Sustainable Homes level 4 (albeit following the de-regulation Bill a formal assessment will not be undertaken).
- 11.197 Carbon Emissions: The applicant proposes a reduction in overall emissions of 31.2%, compared to a 2013 Building Regulations baseline. This falls slightly short of the London Plan's reduction target of 35% (vs. regulated emissions) and a bit further short of Islington's 27% target (for all emissions). In order to mitigate against the remaining carbon emissions generated by the development a financial contribution of £793,040 will be sought by way of section 106 agreement.
- 11.198 Overheating and Cooling: DM7.5A requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control.
- 11.199 Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance. The thermal modelling submitted addresses this issue to the satisfaction of the councils Energy team.
- 11.200 The applicant is not currently proposing artificial cooling for the residential element, and this is supported. The non-residential elements are being designed as shell and core and therefore there is a possibility that tenants may wish to install cooling during the fit-out. (The BRUKL documents / energy modelling have assumed that artificial cooling is installed.) The applicant may wish to address this within the terms of any lease (subject to the findings of any overheating analysis), as avoidance of artificial cooling within the commercial units would further reduce emissions.

- 11.201 The Council's Energy Officers have reviewed the applicant's comments regarding the cooling hierarchy, and are broadly happy with the approaches outlined. Less information has been provided for the commercial units, as full details of these are not yet known.
- 11.202 In summary, the proposal is considered broadly acceptable from a sustainable development and renewable energy point of view and any outstanding issues could be satisfactorily dealt with through appropriate conditions and a Section 106 agreement.
- 11.203 Sustainable Urban Drainage System (SUDS): The application is accompanied by a Drainage Management Plan which proposes measures including living roofs and rainwater harvesting to reduce surface water runoff to 50% of the existing rate. The proposal is considered acceptable from a drainage point of view subject to a condition securing details of a Sustainable Urban Drainage System.
- 11.204 Contaminated Land: The application is accompanied by a Land Contamination Assessment which identifies a moderate risk of significant contamination from on-site uses, although such contamination is expected to be isolated in nature and is considered standard within this inner city environment. It is recommended that an intrusive investigation is carried out which will include an allowance for contamination sampling and testing.
- 11.205 The Council's Environmental Health Officer has raised no objections to the proposal in terms of contaminated land subject to a condition securing a land contamination investigation and a programme of any necessary land contamination remediation works. The proposal is therefore considered acceptable in terms of land contamination.

Highways and Transportation

- 11.206 The site has a Public Transport Accessibility Level (PTAL) of 6a (excellent)
- 11.207 Pedestrian access: It is intended that the proposed access route through the development would take the form of a shared surface for the purposes of pedestrians, cyclists, private vehicles, and delivery and servicing vehicles. It is intended that the absence of a formal carriageway would encourage motorists to enter the area more cautiously and negotiate the right of way, thereby promoting an environment in which pedestrians can move freely and do not feel vulnerable. As part of the landscape design, areas are also shown delineated for pedestrians.
- 11.208 A 10mph speed limit is intended to promote priority to pedestrians and this would be devised by signage and vehicle calming initiatives. It is also intended for there would be a change in road alignment and surface treatment, and this will in turn emphasise distinctness from the local highway network, thereby calming vehicular movements and encouraging low speeds.
- 11.209 Cycle access and parking: Development Management Policy DM8.4 (Walking and cycling), Part D requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking. Appendix 6 of the

Development Management Policies document requires cycle parking for the residential use to be provided at a rate of 1 space per 1 bedroom.

- 11.210 The applicant proposes 475 cycle parking spaces for the residential component of the scheme. The residential cycle parking spaces would be provided within secure store rooms in a central location at each of the sites. The cycle store for Site 1 will be accessed from Brewery Road, from where access to the building core is convenient. The central store for Site 2 would be located from the proposed access route within the site, via the rear of concierge reception, in order to ensure a high level of security for residents using the cycle store. All residents can then reach their respective core from within the site accordingly.
- 11.211 It is recommended that specific numbers and details of cycle parking for the development will be secured by condition should planning permission be granted.
- 11.212 Servicing, deliveries and refuse collection Delivery and servicing arrangements have been considered in the context of the two parcels of land, with Site 1 being serviced from Brewery Road and Site 2 serviced on site. In accordance with London Plan requirements the development will incorporate 26 car parking spaces, all of which will be made suitable for disabled users. Given the Site's high PTAL rating it is expected that users travelling to and from the site will use sustainable transport methods which would not necessitate car parking.
- 11.213 Vehicular servicing access to Site 1 is to be from Brewery Road, which has been demonstrated through the accompanying Transport Assessment to be non-detrimental to the operation of the adjacent highway network, with no net loss in on-site parking provision. Site 2 allows for all delivery and servicing activity to be facilitated on site, where it is intended that all deliveries are to be received in a controlled manner. A delivery and servicing management plan will be implemented to manage deliveries more effectively, in particular, controlling deliveries outside of network peak hours.
- 11.214 The application includes a Waste and Refuse Strategy which indicates that refuse collection will take place on the access road with no requirement for reversing of refuse vehicles. All of the residential refuse storage areas will be accessed from the individual cores within the buildings and will be within 10m of the collection points on the access road.
- 11.215 At the time of writing comments were awaited from the Council's Street Environmental Services Division and any comments received will be reported verbally at the Committee meeting.
- 11.216 Vehicle parking: Core Strategy Policy CS10 (Sustainable development), Part H, requires car free development. Development Management Policy DM8.5 (Vehicle parking), Part A (Residential parking) requires new homes to be car free, including the removal of rights for residents to apply for on-street car parking permits.
- 11.217 Wheelchair accessible parking should be provided in line with Development Management Policy DM8.5 (Vehicle parking), Part C (Wheelchair accessible parking).

11.218 The Council's Spatial Planning and Transport Officer has advised that the proposal is considered acceptable from a Highways point of view, subject to appropriate conditions and measures to be secured through the Section 106 agreement.

Planning Obligations, Community Infrastructure Levy and local finance considerations

11.219 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.

11.220 The Section 106 agreement would include the following agreed Heads of Terms:

- On-site provision of 40.5% affordable housing (102 units), or 44.6% by habitable rooms comprised of 82 social rent and 20 intermediate units representing an 83%/17% split by (by habitable rooms)
- Prevention of wasted housing supply. All dwellings required to be fully furnished and equipped for use as a home, and not to be left unoccupied for any continuous period of 3 consecutive months or more (plus other requirements as per Islington's Wasted Housing Supply SPD). The applicant agrees to include these obligations in sales and marketing information and in any head lease or subleases that may be granted.
- Contribution of £793,040 (TBC) towards offsetting projected residual CO2 emissions of the development.
- The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation of 21 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £105,000 to be paid to LBI.
- Contribution of £44,976 towards employment and training for local residents.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £33,503.
- Contribution of £30,000 to be paid to TfL for bus stop improvements.
- Provision of 8 additional accessible parking bays or a contribution of £16,000 towards provision of on-street bays or other accessible transport initiatives.
- Future proofing in order that the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of a Green Performance Plan and a post occupation Green Performance Plan
- Submission of a final Travel Plan.
- Submission of a final post occupation Green Performance Plan.

- Payment of Council's fees in preparing and monitoring the S106.
- Submission of an updated viability appraisal if the development has not been substantially implemented within 12 months of the grant of planning consent. Updated appraisal to be submitted prior to substantial implementation with surplus profit used to provide additional onsite affordable housing in accordance with the additional affordable housing schedule forming part of the S106 agreement.
- Removal of eligibility for residents' parking permits (additional units only).
- Timing and delivery and management of affordable workspace.
- Off-site mitigation measures to address concerns relating to the Haywards Adventure Playground
- Section 278 agreement to be entered into with TfL to extend bus cage H to allow 2 buses at any one time
- Covenants imposed on residential occupiers requiring them not to issue complaints relating to ongoing commercial operations within and adjoining the site
- Employment Management Strategy to ensure compatibility of commercial and residential uses
- Pruning of Trees T1, T2, T4 and T5 and monies to cover the costs of further, annual pruning
- Financial contribution equivalent to CAVAT value of street trees to be removed.

11.221 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

National Planning Policy Framework

11.222 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of economic, social and environmental growth. The NPPF requires local planning authorities to boost significantly the supply of housing and require good design from new development to achieve good planning.

12. SUMMARY AND CONCLUSION

Summary

12.1 The 0.89ha application site comprises 2 sites on the western side of Caledonian Road. Site 1 comprises a three storey office and storage building currently occupied by the British Transport Police. Site 2 comprises several industrial buildings in varying condition which are presently either vacant or occupied for a mixture of workshop, storage, office, training and industrial uses. It is considered that, overall, the existing buildings have a neutral or negative impact in character terms

- 12.2 The application proposes the redevelopment of the site to provide 252 residential dwellings including 102 units of affordable housing; 7,672m² (GIA) of employment floorspace (Use Class B1a-c) including affordable workspace; 569m² (GIA) of retail (Use Class A1/A2/A3) floorspace; 62m² (GIA) of community (Use Class D1) floorspace; basement car parking providing a total of 26 spaces; 540 long stay and 34 short stay cycle parking spaces; a publicly accessible route through the site and a double height pedestrian link from Caledonian Road; and hard and soft landscaping.
- 12.3 The proposal involves the introduction of inappropriate uses, including housing, onto a Locally Significant Industrial Site (LSIS), which is designated for Use Class B1(c), B2 and B8 uses only. The proposal therefore represents a departure from Development Plan policy and raises significant concerns in this regard. There are further concerns relating to issues including building heights, loss of light at some nearby residential properties and the impact on trees within Market Road Gardens. However, the proposal will deliver significant benefits in planning terms that can be weighed in its favour, including 252 new dwellings with a substantial proportion (40.5% by units and 44.6% by habitable rooms) of affordable housing; an equivalent quantum of employment floorspace built to modern standards with the potential to support a significantly increased number of jobs and improvements to the character and appearance of the area including through a new area of landscaped public realm.
- 12.4 The proposal has been the subject of comprehensive pre-application discussions with Officers and, overall, is considered acceptable in design terms subject to conditions securing appropriate materials. The application is thus considered to be in accordance with London Plan Policy 7.6, Islington Core Strategy Policy CS7 and Islington's Development Management Policy DM2.1.
- 12.5 The proposal is not considered to have an unacceptable impact on neighbouring amenity in terms of loss of sunlight, daylight, privacy, air quality or an increased sense of enclosure. An appropriate landscaping scheme can be secured by condition to ensure a high quality public realm.
- 12.6 It is considered that the benefits of the scheme are substantial and, on balance, outweigh the harm resulting from the conflict with Development Plan policy and all other identified harm.

Conclusion

- 12.7 The proposal would deliver a package of benefits that are considered to weigh in its favour and justify a departure from Development Plan Policy DM5.3 whilst in all other respects the proposal is considered to comply with local, regional and national planning policy and guidance. It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 and subject to any direction by the Mayor of London – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the Committee resolve to GRANT planning permission subject to any **direction by The Mayor to refuse the application or for it to be called in for determination by the Mayor of London.** Therefore, following the Council's resolution to determine the application, the application shall then be referred to the Mayor of London in accordance with Article 5 of the Town and Country Planning (Mayor of London) Order 2008 – allowing him 14 days to decide whether to:

- a. allow the draft decision to proceed unchanged; or
- b. direct the Council under Article 6 to refuse the application; or
- c. issue a direction under Article 7 that he is to act as the Local Planning Authority for the purpose of determining the application.

RECOMMENDATION B

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

1. On-site provision of 40.5% affordable housing (102 units), or 44.6% by habitable rooms comprised of 82 social rent and 20 intermediate units representing an 83%/17% split by (by habitable rooms)
2. Prevention of wasted housing supply. All dwellings required to be fully furnished and equipped for use as a home, and not to be left unoccupied for any continuous period of 3 consecutive months or more (plus other requirements as per Islington's Wasted Housing Supply SPD). The applicant agrees to include these obligations in sales and marketing information and in any head lease or subleases that may be granted.
3. Contribution of £793,040 (TBC) towards offsetting projected residual CO2 emissions of the development.
4. The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required.
5. Compliance with the Code of Employment and Training.
6. Facilitation of 21 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £105,000 to be paid to LBI.
7. Contribution of £44,976 towards employment and training for local residents.
8. Compliance with the Code of Local Procurement.
9. Compliance with the Code of Construction Practice, including a monitoring fee of £33,503.

10. Contribution of £30,000 to be paid to TfL for bus stop improvements.
11. Provision of 8 additional accessible parking bays or a contribution of £16,000 towards provision of on-street bays or other accessible transport initiatives.
12. Future proofing in order that the development can be connected to a local energy network if a viable opportunity arises in the future.
13. Submission of a Green Performance Plan and a post occupation Green Performance Plan
14. Submission of a final Travel Plan.
15. Submission of a final post occupation Green Performance Plan.
16. Payment of Council's fees in preparing and monitoring the S106.
17. Submission of an updated viability appraisal if the development has not been substantially implemented within 12 months of the grant of planning consent. Updated appraisal to be submitted prior to substantial implementation with surplus profit used to provide additional onsite affordable housing in accordance with the additional affordable housing schedule forming part of the S106 agreement.
18. Removal of eligibility for residents' on-street parking permits (additional units only).
19. Timing and delivery and management of affordable workspace.
20. Off-site mitigation measures to address concerns relating to the Haywards Adventure Playground
21. Section 278 agreement to be entered into with TfL to extend bus cage H to allow 2 buses at any one time
22. Covenants imposed on residential occupiers requiring them not to issue complaints relating to ongoing commercial operations within and adjoining the site
23. Employment Management Strategy to ensure compatibility of commercial and residential uses
24. Pruning of Trees T1, T2, T4 and T5 and monies to cover the costs of further, annual pruning.
25. Financial contribution equivalent to CAVAT value of street trees to be removed.

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION C

That the grant of planning permission be subject to **conditions** to secure the following:

List of Conditions:

1	Commencement (Compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>830-010-1B; 830-010-1M; 830-010-00; 830-010-01; 830-010-02; 830-010-03; 830-010-04; 830-010-05; 830-010-06; 830-010-07; 830-010-08; 830-010-09; 830-010-10; 830-010-1B.1; 830-010-00.1; 830-010-00.2; 830-010-00.3; 830-010-00.4; 830-010-00.5; 830-010-1M.1; 830-010-1M.2; 830-010-1M.3; 830-010-1M.4; 830-010-01.1; 830-010-01.2; 830-010-01.3; 830-010-01.4; 830-010-01.5; 830-010-02.1; 830-010-02.2; 830-010-02.3; 830-010-02.4; 830-010-02.5; 830-010-03.1; 830-010-03.2; 830-010-0.3.3; 830-010-03.4; 830-010-03.5; 830-010-04.1; 830-010-04.2; 830-010-04.3; 830-010-04.4; 830-010-04.5; 830-010-05.1; 830-010-05.2; 830-010-05.3; 830-010-05.4; 830-010-05.5; 830-010-06.1; 830-010-06.2; 830-010-06.3; 830-010-06.4; 830-010-06.5; 830-010-07.1; 830-010-07.2; 830-010-07.3; 830-010-07.4; 830-010-08.1; 830-010-09.1; 830-010-10.1; 01-01-01; 01-01-02; 01-01-06; 01-01-10; 01-01-11; 01-01-12; 01-02-10; 01-02-12; 01-02-12; 02-01-01; 02-01-02; 03-01-01; 03-01-02; 03-01-03; 05-01-01; 05-01-02; 05-01-03; 06-01-04; 08-01-01; 08-01-02; 08-01-03; 08-01-04; 08-01-05; 08-01-06; 9a-01-01; 9b-01-02; 9b-01-03; 9b-01-04; 9b-01-05; 830-020-20; 830-020-21; 830-020-22; 830-020-23; 830-020-24; 830-020-25; 830-020-26; 830-020-27; 830-020-28; 830-020-29; 830-020-30; 830-020-31; 830-020-32; 830-020-33; 830-020-34; 830-020-35; 830-020-36; 830-020-37; 830-020-38; 830-020-39; 830-020-40; 830-020-41; 830-020-42; 830-020-43; 830-020-44; 830-020-45; 830-020-46; 830-050-01; 830-050-02; 830-050-03; 830-050-04; 830-050-05; 830-050-06; 830-050-07; 830-050-08; 830-050-09; 830-050-10; 830-050-11; 830-050-12; 830-050-20; 830-050-21; 830-050-22; 830-050-23; 830-050-24; 830-050-25; 830-050-26; 830-050-27; 830-050-28; 830-050-29; 830-050-30; 830-050-31; 830-050-32; 830-050-33; 830-050-34; 830-050-35; 830-050-36; 830-050-37; 830-050-38; 830-050-39; Design and Access Statement (September 2015); Construction Management Plan (including Site Waste Management Plan) (September 2015); Drainage Management Plan (September 2015); Structural Engineering Report (September 2015); Energy Statement (September 2015); Sustainability Statement (Including BREEAM Assessment and Green Performance Plan) (September 2015); Transport Assessment (September 2015); Residential and Commercial Travel Plans (September 2015); Ecology Assessment (including bat Survey) (September 2015); Acoustic Report (September 2015); Land Contamination Assessment (September 2015); Arboricultural Impact Assessment and Tree Protection Plan (September 2015).</p>

	<p>Notwithstanding the documents approved, details of materials shall be submitted for approval under condition 3 of this planning permission. shall be agreed including bond, mortar, colour texture etc (I can provide a detailed condition later). We also need to condition soffits, reveals the ground floor, signage.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials and Samples (Compliance and Details)</p> <p>Details and samples of the following facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Brickwork, bond and mortar courses; b) Window and doors; c) roofing materials; d) Balcony materials (including winter gardens); e) green procurement plan for sourcing the proposed materials; f) soffits; g) ground floor signage; h) any other materials to be used. <p>The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p>Demolition and Construction Management Plan and Demolition and Construction Logistics Plan (Details)</p> <p>CONDITION: No demolition shall take place unless and until a Demolition and Construction Management Plan (DCMP) and a Demolition and Construction Logistics Plan (DCLP) have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The reports shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the approved DCMP and DCLP throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety, and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>

5	Site Waste Management Plan (Details)
	<p>CONDITION: Full particulars and details of a Site Waste Management Plan (SWMP) which ensures waste produced from any demolition and construction works is minimised shall be submitted to and approved in writing by the local planning authority before the development hereby permitted is commenced and the development shall not be carried out otherwise than in accordance with the particulars so approved.</p> <p>The SWMP shall identify the volume and type of material to be demolished and or excavated and include an assessment of the feasibility of reuse of any demolition material in the development. The SWMP shall also consider the feasibility of waste and materials transfer to and from the site by water or rail transport wherever that is practicable.</p> <p>REASON: To maximise resource efficiency and minimise the volume of waste produced, in the interest of sustainable development.</p>
6	Piling Method Statement (Details)
	<p>CONDITION: No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.</p>
7	Tree Protection (Details)
	<p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the appropriate working methods (the Arboricultural Method Statement, AMS) in accordance with British Standard BS 5837 2012 –Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved AMS.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
8	Site Supervision (Details)
	<p>CONDITION: No works or development shall take place until a scheme of supervision and monitoring for the arboricultural protection measures in accordance with para. 6.3 of British Standard BS5837: 2012 – Trees in Relation to design, demolition and construction – recommendations has been approved in writing by the local planning authority.</p> <p>The scheme of supervision shall be carried out as approved and will be administered by a qualified Arboriculturist instructed by the applicant. This scheme will be appropriate to the scale and duration of the works and will include details of:</p> <p>A: Prior to Commencement:</p>

	<p>a. Induction and personnel awareness of arboricultural matters; b. Identification of individual responsibilities and key personnel; c. Statement of delegated powers; d. Timing and methods of site visiting and record keeping, including updates e. Procedures for dealing with variations and incidents.</p> <p>B: Prior to Completion of Development:</p> <p>This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction.</p> <p>REASON: In the interest of protecting retained and proposed tree health, biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
9	<p>Landscaping/Tree Planting (Details)</p> <p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) a scaled plan showing vegetation to be retained and trees and plants to be planted; b) specification to ensure successful establishment and survival of c) new planting. d) a schedule detailing sizes, species and numbers of all new trees/plants;a biodiversity statement detailing how the landscaping scheme maximises biodiversity; e) existing and proposed underground services and their relationship to both hard and soft landscaping; f) proposed trees: their location, species and size; g) soft plantings: including grass and turf areas, shrub and herbaceous areas; h) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; i) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; j) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and k) any other landscaping features forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p>

	<p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
10	<p>Playspace Provision (Details)</p> <p>CONDITION: Details of the onsite children's playspace provision, which shall provide for no less than 605 m² of playspace contained within the site, shall be submitted to and approved in writing by the Local Planning Authority prior to any landscaping works commencing on the site and prior to the first occupation of the development. The details shall include the location, layout, design of the playspace, its proposed equipment/features and an ongoing management and maintenance plan.</p> <p>The children's playspace shall be provided strictly in accordance with the details so approved, installed/erected prior to the first occupation of the residential dwellings and shall be managed and maintained in accordance with the approved management and maintenance plan.</p> <p>REASON: To secure the appropriate provision and design of children's playspace.</p>
11	<p>Lighting Plan (Details)</p> <p>CONDITION: Full details of the lighting across the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the approved development.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps, floodlights, support structures, hours of operation and technical details on how impacts on bat foraging will be minimised. The lighting measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings as well as protecting the biodiversity value of the site.</p>
12	<p>Disabled Parking Spaces</p> <p>CONDITION: The disabled parking spaces shown on drawing no 010-1B hereby approved shall be provided prior to the first occupation of the building and the disabled parking bays shall be appropriately line-marked and thereafter kept available for the parking of vehicles at all times. The car parking spaces shall only be occupied by vehicles displaying blue badges.</p> <p>A parking management plan, which shall include details of the proposals for the allocation car parking spaces and details of the installation of Electric Vehicle Charging Points (EVCPs) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	REASON: In the interest of securing the provision of an appropriate number and standard of disabled parking spaces.
13	Accessible Housing – Major Schemes (Details)
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, 226 of the residential units shall be constructed to meet the requirements of Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2) and 26 units shall be constructed to meet the requirements of Category 3 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Wheelchair user dwellings' M4 (3).</p> <p>A total of 10 1-bed, 12 2-bed and 4 3-bed units shall be provided to Category 3 standards.</p> <p>A total of 40 1-bed, 169 2-bed and 17 3-bed units shall be provided to Category 2 standards.</p> <p>Building Regulations Approved Plans and Decision Advice Notice, confirming that these requirements will be achieved, shall be submitted to and approved in writing by Local Planning Authority prior to any superstructure works beginning on site.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON - To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs, in accordance with London Plan (FALP) 2015 policy 3.8 (Housing Choice).</p>
14	Combined Heat and Power (Details)
	<p>CONDITION: Details of the Combined Heat and Power facility and associated infrastructure, which shall provide for no less than 16% total CO₂ reduction shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include:</p> <ul style="list-style-type: none"> a) location, specification, flue arrangement, operation/management strategy; and b) the method of how the facility and infrastructure shall be designed to allow for the future connection to any neighbouring heating and cooling network <p>The Combined Heat and Power facility and infrastructure shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure the facility and associated infrastructure are provided and so that it is designed in a manner which allows for the future connection to a district system.</p>
15	Energy Efficiency – CO₂ Reduction (Compliance/Details)
	<p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy which shall together provide for no less than a 20% on-site total CO₂ reduction in comparison with total emissions from a building which complies with Building Regulations 2013 as detailed within the Sustainability Statement shall</p>

	<p>be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, the following shall be submitted prior to the commencement of the development:</p> <p>A revised Energy Strategy, which shall provide for no less than a 40% onsite total CO₂ reduction in comparison with total emissions from a building which complies with Building Regulations 2010. This shall include the details of any strategy needed to mitigate poor air quality (such as mechanical ventilation).</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
16	<p>Renewable Energy (Compliance)</p> <p>CONDITION: The energy efficiency measures/features and renewable energy technology (solar PV panels), which shall provide for no less than 1% on-site total CO₂ reduction as detailed within the 'Energy Strategy' shall be installed and operational prior to the first occupation of the development.</p> <p>Should, following further assessment, the approved renewable energy option be found to be no-longer suitable:</p> <p>a) a revised scheme of renewable energy provision, which shall provide for no less than 1% onsite CO₂ reduction, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The final agreed scheme shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met</p>
17	<p>Solar Photovoltaic Panels (Details)</p> <p>CONDITION: Prior to the commencement of the development hereby approved, details of the proposed Solar Photovoltaic Panels at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</p> <ul style="list-style-type: none"> - Location; - Area of panels; and - Design (including elevation plans). <p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p>

	REASON: In the interest of addressing climate change and to secure sustainable development and to secure high quality design in the resultant development.
18	Cycle Parking Provision (Details)
	<p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage areas shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than 475 cycle spaces for the residential use and 120 cycle spaces (or a lesser amount as agreed in writing by the Local Planning Authority) for the commercial and community uses.</p> <p>The bicycle storage areas shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
19	Visitor Cycle Parking Provision
	<p>CONDITION: Details of the visitor's cycle parking, which shall comprise no less than 38 spaces shall be submitted to and approved in writing by the Local Planning Authority, and installed, prior to the first occupation of the development hereby approved.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure adequate visitor cycle parking is available to support the resulting use(s) and to promote sustainable modes of transport.</p>
20	Sound Insulation (Details)
	<p>A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast) Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To secure an appropriate internal residential environment.</p>
21	Fixed Plant (Compliance)
	The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise

	<p>level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To ensure that the operation of fixed plant does not impact on residential amenity.</p>
22	<p>Sound Insulation (Details)</p> <p>Full particulars and details of a scheme for sound insulation between the neighbouring public house and proposed B1/A1-3/D1 and residential use of the building shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure satisfactory living conditions for future occupants of the development.</p>
23	<p>Delivery Servicing Plan (Details)</p> <p>CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements for the flexible retail/professional services units and the community centre including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority (in consultation with TfL) prior to the first occupation of the relevant commercial/community units development hereby approved.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
24	<p>Air Quality Report</p> <p>Before commencement of the development, an air quality report shall be submitted to and agreed by the Local Planning Authority. The report shall detail:</p> <ul style="list-style-type: none"> • the area within the boundary of the site, which may exceed relevant national air quality objectives. • specify how the detailed application will address any potential to cause relevant exposure to air pollution levels exceeding the national air quality objectives. • identify areas of potential exposure. • detail how the development will reduce its impact on local air pollution. <p>Regard shall be had to the guidance from the Association of London Government “Air quality assessment for planning applications – Technical Guidance Note” and the GLA’s “Air Quality Neutral” policy in the compilation of the report.</p> <p>Reason: To ensure that the proposed development will minimise its impact on local air pollution.</p>

25	<p>Land Contamination (CIL Pre-commencement condition)</p> <p>Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority</p> <p>a) A land contamination investigation.</p> <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <p>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</p> <p>The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b).</p> <p>REASON: Given the history of the site the land may be contaminated, investigation and potential remediation is necessary to safeguard the health and safety of future occupants.</p>
26	<p>Construction Environmental Management Plan</p> <p>A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>THE CEMP should pay reference to BS5228:2009, LBI's Code of Construction Practice, the GLA's SPG on construction dust and emissions (including the Non-Road Mobile Machinery register) and any other relevant guidance.</p> <p>REASON: In the interests of residential and local amenity, and air quality.</p>
27	<p>Flues and Extraction – Flexible Commercial Units</p> <p>CONDITION: Should the flexible commercial units be taken up for A3 use details of proposed flues / extraction systems for the units shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on the unit to which they relate.</p> <p>The filter systems of the approved flue / extraction units shall be regularly maintained and cleaned; and any filters and parts requiring cleaning or</p>

	<p>replacement shall be easily accessible.</p> <p>The flues/extraction systems shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the commercial units to which they relate and maintained as such thereafter.</p> <p>REASON: In the interest of protecting future residential amenity and the appearance of the resulting buildings.</p>
28	<p>Hours of Operation (Compliance)</p> <p>CONDITION: The ground floor commercial units hereby approved shall not operate outside the hours of 8am to 7pm unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
29	<p>Waste Management Strategy (Details)</p> <p>CONDITION: Details of the site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The details shall include:</p> <ul style="list-style-type: none"> a) the layout, design and appearance (shown in context) of the dedicated refuse / recycling enclosures; b) a waste management plan <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/erected prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to</p>
30	<p>BREEAM (Compliance)</p> <p>CONDITION: The commercial element of the development shall achieve a BREEAM rating of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
31	<p>Green/Brown Biodiversity Roofs (Details)</p> <p>CONDITION: Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); and b) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential</p>

	<p>maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity</p>
32	<p>Sustainable Urban Drainage System (Details)</p> <p>CONDITION: No development shall take place unless and until a detailed implementation, maintenance and management plan of the approved sustainable drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Those details shall include:</p> <ul style="list-style-type: none"> i. a timetable for its implementation, and ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. <p>No building(s) hereby approved shall be occupied unless and until the approved sustainable drainage scheme for the site has been installed/completed strictly in accordance with the approved details.</p> <p>The scheme shall thereafter be managed and maintained in accordance with the approved details.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
33	<p>Water Use (Compliance)</p> <p>CONDITION: The development shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>
34	<p>Nesting Boxes (Details)</p> <p>CONDITION: Details of bird and bat nesting boxes shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>No less than 6 house sparrow nesting boxes, 4 swift nesting boxes and 8 bat boxes shall be provided and the details shall include the exact location, specification and design of the habitats.</p> <p>The nesting boxes shall be provided strictly in accordance with the details so approved, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>

35	Car Park Management Plan
	<p>CONDITION: A Car Park Management Plan to implement the monitoring and supply of the 26 on site car parking spaces is to be submitted and approved by the Local Planning Authority prior to occupation of the development. The management plan is to identify how car parking spaces will be offered to the 26 wheelchair accessible/adaptable units in the first instance and any Blue Badge holders thereafter.</p> <p>REASON: In the interest of securing appropriate provision and allocation of disabled and Blue Badge parking spaces.</p>
36	Building cleaning and maintenance plan
	<p>CONDITION: Details of a programme for cleaning and maintenance of the exterior of the 'rainscreen' clad building (Building 8) shall be submitted to and approved in writing by the Local Planning Authority. The building shall be cleaned and maintained strictly in accordance with the approved programme thereafter.</p> <p>REASON: In the interest of maintaining a satisfactory appearance for the building and in the interest of the character and appearance of the area.</p>
37	Method Statement (London Underground)
	<p>The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:</p> <ul style="list-style-type: none"> - provide details on all structures - accommodate the location of the existing London Underground structures and tunnels - accommodate ground movement arising from the construction thereof - and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels. <p>The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied .</p> <p>Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1 and Land for Industry and Transport Supplementary Planning Guidance 2012.</p>
38	Datum Levels
	<p>Details of the datum levels of the site and the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The highest point of Building 8 shall be less than 30m above the average ground level of Site 2.</p> <p>Reason: In the interests of the visual amenities of the area and in order that the development complies with Policy CS12 of the Islington Core Strategy.</p>

List of Informatives:

1	Planning Obligations Agreement
	You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions:</p> <p>These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	Car-Free Development
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>
5	Thames Water Trade Effluent Consent
	<p>A Trade Effluent Consent will be required for any effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at http://www.thameswater.co.uk/business/9993.htm or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ.</p>

	Telephone: 020 3577 9200.
6	Roller Shutters
	<p>ROLLER SHUTTERS</p> <p>The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.</p>
7	Groundwater Risk Management Permit
	<p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality</p>
8	Protection of Groundwater
	<p>In order to protect groundwater from further deterioration:</p> <ul style="list-style-type: none"> - No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution - Piling or other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.
8	Sustainable Sourcing of Materials
	<p>Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</p>
9	London Underground Safeguarding
	<p>The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation and construction methods</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1 National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.9 Inner London

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.7 Large residential developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes

Policy 3.13 Affordable housing thresholds

Policy 3.15 Coordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.4 Managing industrial land and premises

Policy 4.8 Supporting a successful and diverse retail sector

Policy 4.10 New and emerging economic sectors

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.18 Construction, excavation and demolition waste

Policy 5.21 Contaminated land

6 London's transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.12 Road network capacity

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Lifetime Neighbourhoods

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodlands

Policy 4.12 Improving opportunities for all

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy
Policy CS6 (King's Cross)
Policy CS8 (Enhancing Islington's Character)

Policy CS13 (Employment Spaces)
Policy CS14 (Retail and Services)
Policy CS16 (Play Space)

Strategic Policies
Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS12 (Meeting the Housing Challenge)

Infrastructure and Implementation
Policy CS18 (Delivery and Infrastructure)
Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage

Employment

DM5.1 New business floorspace
DM5.3 Vale Royal / Brewery Road Locally Significant Industrial Site
DM5.4 Size and affordability of workspace

Housing

DM3.1 Mix of housing sizes
DM3.4 Housing standards
DM3.5 Private outdoor space
DM3.6 Play space
DM3.7 Noise and vibration (residential uses)

Health and open space

DM6.1 Healthy development
DM6.5 Landscaping, trees and biodiversity

Shops, culture and services

DM4.1 Maintaining and promoting small and independent shops

DM4.3 Location and concentration of uses

DM4.7 Dispersed shops
DM4.8 Shopfronts
DM4.12 Social and strategic infrastructure and cultural facilities

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements
DM7.2 Energy efficiency and carbon reduction in minor schemes
DM7.3 Decentralised energy networks
DM7.4 Sustainable design standards
DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy
DM8.2 Managing transport impacts
DM8.3 Public transport

DM8.4 Walking and cycling
 DM8.5 Vehicle parking
 DM8.6 Delivery and servicing for new developments

Infrastructure

DM9.1 Infrastructure
 DM9.2 Planning obligations
 DM9.3 Implementation

5. **Designations**

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Vale Royal / Brewery Road Locally Significant Industrial Site

6. **Supplementary Planning Guidance (SPG) / Document (SPD)**

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan	London Plan
<ul style="list-style-type: none"> - Environmental Design - Inclusive Design in Islington - Inclusive Landscape Design - Planning Obligations and S106 - Urban Design Guide - Regenerating King's Cross Neighbourhood Framework Document - Preventing Wasted Housing Supply 	<ul style="list-style-type: none"> - Accessible London: Achieving and Inclusive Environment - Housing - Social Infrastructure - The Control of Dust and Emissions during Construction and Demolition - Shaping Neighbourhoods: Character and Context - Sustainable Design & Construction - Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy - Shaping Neighbourhoods: Play and Informal Recreation - Land for Industry and Transport



ATT: Tim Holtham
dp9 Ltd
100 Pall Mall
London
SW1Y 5NQ

Planning Service
Planning and Development
PO Box 333
222 Upper Street
London
N1 1YA

T 020 7527 2389
F 020 7527 2731
E Luciana.grave@islington.gov.uk
W www.islington.gov.uk

Our ref: DRP/72

Date: 21 October 2015

Dear Tim Holtham,

ISLINGTON DESIGN REVIEW PANEL
RE: 423-425 Caledonian Road

Thank you for attending Islington's Design Review Panel meeting on 30 September 2015 for a third review of the above scheme. The proposed scheme under consideration is for a mixed-use development to provide retail and commercial uses, B1 offices and residential units (officer's description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Dominic Papa (chair), Richard Brown, Philip Cave, Michael Richter, Sarah Featherstone, and Simon Foxell on 30 September 2015 including a presentation from the design team followed by a question and answers session and deliberations at the offices of the London Borough of Islington. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the council.

Panel's observations

The Panel appreciated the improvements made to the scheme since the first and second reviews, but argued that further improvements and detailing of the elevations and amenity areas were needed.

Massing

The Panel reiterated its concern that the height of the proposed block immediately south of the chapel is too tall and that that this listed building deserved a better backdrop. Panel members also highlighted discrepancy between the plan and the CGI, which showed balconies on the wall as the backdrop for the chapel.

In addition, the Panel expressed concern over the poor massing and materiality of the proposed community building, which it felt did not add to the chapel or the rest of the development. Overall the Panel felt that the community building was a missed opportunity.



The Panel noted the sharp contrast in height between the south block (building 1) and the adjacent buildings on Caledonian Road and argued that the resultant large blank wall must have the right treatment and quality of detail.

Elevations

The Panel argued that there was a lack of differentiation in the detailing on the Caledonian Road elevation and that variation in the colour of the brick between the various buildings was not sufficient. Panel members recommended that additional distinction in the detailing of windows and balconies of the different buildings was needed. In addition, the Panel argued that the differentiation on the front elevation must be reflected across the back elevation but that currently the four buildings looked very similar.

Amenity

The Panel expressed concerns over the internal street, which it argued still felt like a road and a linear route through the development. Panel members argued that there was a need for further elements that signalled that it is a yard, such as trees (existing tree proposals were too ornamental), seating and differentiation in paving. The Panel argued that to withstand the commercial use, the internal courtyard must be of sufficiently high quality and robustness.

The Panel argued that the landscaping on the podium needed further detailing, particularly in relation to the provision of play space.

Panel members questioned the lack of amenity space, beyond play space provision, for all parts of the development and particularly in the southern part the suitability of the lower roofs for amenity space should be explored

Summary

In conclusion, the Panel found that the fundamental concept for the scheme had improved, but that further detailing was needed in relation to the elevations and amenity areas.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

Please note that since the scheme is at planning application stage, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,



Luciana Grave
Design Review Panel Coordinator
Design & Conservation Team Manager

Caledonian Road, London, N1



Application Ref: 2015/3989

Independent Review of Assessment of Economic Viability

17 November 2015

1.0 Introduction

1.1. BPS Chartered Surveyors has been instructed by the London Borough of Islington ('the Council') to review a viability assessment prepared by D52 on behalf of London Square (Caledonian Road) Limited ('the applicant') in respect of the proposed redevelopment of the site at Caledonian Road.

1.2. The subject site is located on the west hand side of Caledonian Road and is largely rectangular in shape and extends to some 0.89 hectares in area. The site is split into two portions by Brewery Road. The Site is currently occupied by building at 423-435 Caledonian Road, 1-9 Market Road, 4-6 Brewery Road and 1-11 Balmoral Grove which is an internal road at the centre of the Site.

1.3. The current application proposals are described below;

'Demolition of all existing buildings on site to provide a mixed use development within new buildings ranging from 1-11 storeys; providing 252 residential units [use class C3]; flexible employment [use class B1a-c]; flexible retail [use class A1-A3]; and community [use class D1] floorspace; together with the creation of a new central vehicular and pedestrian access route through the site from Market Road to Brewery Road and associated highway work; basement car parking; cycle parking; creation of a new pedestrian access into the site from Caledonian Road; and provision of open space and associated works of hard and soft landscaping.'

1.4. The proposed development includes 252 residential units consisting of 50 x one bed units, 181 x two bed units and 21 x three bed units. 150 of the proposed units are for private sales with 102 units for affordable housing, representing 40% by unit. This can be broken down as follows:

Unit Type	Private Market	Intermediate (5-0)	Rented (Social Rent)	Total
1 Bed	43	5	2	50
2 Bed	107	15	59	181
3 Bed	0	0	21	21
Total	150 (60%)	20 (8%)	82 (32%)	252

1.5. The viability assessment seeks to demonstrate that the current affordable housing offer results in a deficit against that viability benchmark, which has been based on CUV, and the offer therefore exceeds the maximum reasonable contribution appropriate in viability terms.

1.6. Our review has sought to scrutinise the cost and value assumptions that have been applied in the D52 viability appraisal in order to determine whether the current affordable housing offer represents the maximum that can reasonably be delivered given the viability of the proposed development.

2.0 Conclusion and Recommendations

- 2.1. Based upon our review of the viability assessment we are of the view that the proposed scheme is currently producing a deficit of [REDACTED] as opposed to the [REDACTED] deficit suggested by DS2.
- 2.2. We have undertaken a sensitivity analysis and this demonstrates that the apparent deficit is capable of being bridged through a net increase in the value of the market housing of under 5%. We consider this margin to be an acceptable commercial risk and therefore the proposal could not realistically seek to adjust the level of affordable housing proposed with any credibility through subsequent challenge.
- 2.3. The benchmark land value is based on the current use value of the site to which a 20% premium has been added. We are of the opinion that the CUV of the site, as determined by Strettons, is indeed reasonable based on the sites current condition. However, we do not agree with the 20% premium added to the CUV given the relatively poor condition of a number of the buildings on site. We are of the opinion that a 10% premium would be more suitable case.
- 2.4. The costs have been reviewed by our Cost Consultant, Neil Powling, and he is of the opinion that the Applicants costs are reasonable and he concludes the following:

'The results of our benchmarking show that Block B is in line with the adjusted benchmark, Blocks A, C & D are below benchmark. This is most probably because of the scale of the project that is a significantly higher cost than the ones included in the average BCIS database with resultant economies of scale. The commercial works are slightly less than BCIS shell only offices. We are satisfied that the Applicants costs for all these sections are reasonable.'
- 2.5. The private unit sales values for the proposed scheme have been determined by CBRE. We have reviewed the comparable evidence provided by CBRE and supplemented further by DS2 and we are of the opinion that the values applied are reasonable given the local new build and second hand evidence.
- 2.6. The affordable housing values have been provided by DS2 with little evidence as to how they were calculated. We would expect, especially given the quantum of affordable housing in the proposed scheme, that the values would be based upon an offer from a Registered Provider, especially given currently uncertainty surrounding affordable housing values following the Chancellors statement concerning modifications to rent escalators. We have reviewed the values applied and we are of the opinion that the values applied in the appraisal are reasonable.
- 2.7. The assumptions attributed to the retail and commercial spaces are in the main realistic though although we have identified some areas of disagreement. Firstly we would suggest that the void period for the retail space is too long and should be reduced to 12 months. Secondly we are of the opinion that the commercial rental values are on the conservative side and that they should be increased to reflect a rate of [REDACTED] per m² [REDACTED]
- 2.8. Ground Rent income of [REDACTED] has been included in the appraisal and is based on an assumption of [REDACTED] rent per unit capitalised at 5% less purchaser costs. These assumptions are in line with current market trends and are therefore reasonable.

- 2.9. Overall we are of the opinion that the viability position can be improved as shown in the table below, but that this shows the scheme remains in deficit and cannot therefore reasonably deliver any additional affordable housing:

Viability Assessment	Residual Value	Benchmark	Surplus/Deficit
DS2	████████	████████	████████
BPS Updated Values	████████	████████	████████
BPS Updated Value and Premium	████████	████████	████████
BPS Basement Impact	████████	████████	████████

3.0 Planning Policy

- 3.1. We have had reference to National Planning Policy including the National Planning Policy Framework. We have also had regard to the local planning policy context including the London Plan's (2011) Housing Policies and the Council's Core Strategy.
- 3.2. The Mayor of London's Housing SPG states that development appraisals should be carried out in conjunction with a RP of social housing and that RPS should be engaged at the pre-app stage with the value assumed for the affordable housing element should be based on an RP offer. If an offer is not forthcoming then evidence of calculations should be provided including details of rental and capital receipts.
- 3.3. Islington Core Strategy Policy CS12 requires the maximum reasonable level of affordable housing that can be achieved with a target of 50% of new housing to be affordable.
- 3.4. CS12 requires a tenure split of 70% social rent and 30% intermediate tenure. CS12 also includes the requirement that affordable housing units are designed to a high quality with the Development Management Policies encouraging design to be 'tenure blind'.
- 3.5. The Council's Local Plan: Development Management Policies (adopted June 2013) set out the Council's requirement with regards to employment floorspace in the borough. Policy DM5.1 concerns the provision of new business floorspace:
- "Within Town Centres and Employment Growth Areas... proposals for the redevelopment or Change of Use of existing business floorspace are required to incorporate:*
- i) the maximum amount of business floorspace reasonably possible on the site, whilst complying with other relevant planning considerations, and*
 - ii) a mix of complementary uses, including active frontages where appropriate.*

- 3.6. The Core Strategy defines business floorspace as "B-use classes, i.e. offices as well as industrial and warehousing space", thus the B8 Storage space within the existing building falls within this category. DM5.1 F also states that,

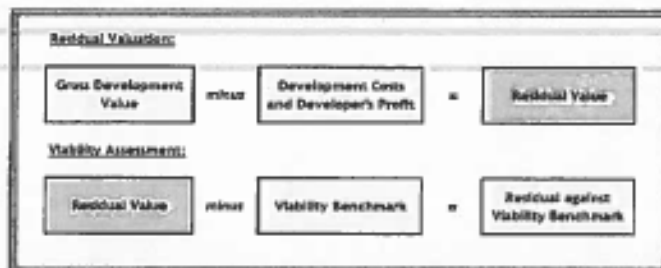
"New business floorspace must be designed to:

- 1) Allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of business accommodation, particularly for small businesses..."*

4.0 Principles of Viability Assessment

- 4.1. Assessment of viability for planning purposes is based on the principle that if a proposed scheme cannot generate a value that equals or exceeds the current site value, it will not proceed. Financial viability for planning purposes is defined by the RICS Guidance as an "objective financial viability test of the ability of a development project to meet its costs including the cost of planning obligations, while ensuring an appropriate site value for the landowner and a market risk adjusted return to the developer in delivering that project." This reflects the NPPF principle that in order to ensure viability, developments should provide competitive returns to a willing land owner and willing developer to enable them to be deliverable.
- 4.2. A fundamental issue in considering viability assessments is whether an otherwise viable development is made unviable by the extent of planning obligations or other requirements.
- 4.3. Existing Use Value has been generally recognised by many LPA's and the GLA as the standard recognised basis for establishing viability as it clearly defines the uplift arising from the grant of the planning consent sought and is currently referred to as the preferred basis for benchmarking schemes in the Council's recently adopted planning policies.
- 4.4. RICS Guidance¹ suggests that "the site value benchmark should equate to the market value subject to the following assumption: that the value has regard to development plan policies and all other material planning considerations and disregards that which is contrary to the development plan". The purpose of a viability appraisal is to assess the extent of planning obligations while also having regard to the prevailing property market.
- 4.5. In this context it is highly relevant to consider the degree to which planning policy has been reflected in the land transactions promoted and whether they are themselves considered to represent market value as distinct from overbids.
- 4.6. Viability appraisals work to derive a residual value to indicate viability. This approach can be represented by the simple formula set out below:

¹ RICS, Financial Viability in Planning, 1st Edition Guidance Note, August 2012



- 4.7. Development costs include elements such as planning obligations, professional fees, finance charges and contingencies as well as the necessary level of 'return' that would be required to ensure developers are capable of obtaining an appropriate market risk adjusted return for delivering the proposed development.
- 4.8. Residual appraisals are used either to assess a return from the proposed project (where the cost of acquiring the site is an appraisal input) or to establish a residual land value after taking account of the level or return (profit) required.
- 4.9. A scheme's residual value is then compared to the site value benchmark figure and if the residual value equals or exceeds this benchmark then the scheme can be said to be viable. It is therefore important in assessing viability for the site value benchmark ("base value") to be set at a figure which can be substantiated.
- 5.0 **Viability Benchmark**
- 5.1. The Viability Benchmark Sum (VBS) has been based on the Existing Use Value (EUV) of the numerous buildings currently on site. The buildings are in use either as office, light industrial and warehouse. The EUV is given as [REDACTED] and is taken from Strettons report at appendix 11 of the DS2 viability assessment. DS2 have added a further 20% premium to the EUV to arrive at a proposed benchmark of [REDACTED]

Building	Planning Use	M ² (GIA)	FT ² (GIA)
423-425 Caledonian Road	B1	2,444	26,307
431 Caledonian Road	B1	575	6,189
438-435 Caledonian Road	B2	1,110	12,163
4 & 6 Brewery Road	B1/B2	629	6,771
1-11 Balmoral Grove	B2	1,237	13,315
1-9 Market Road	B1/B2	1,652	17,782
Total (GIA)		7,667	82,527

- 5.2. We have looked at the individual components of this valuation below:

Office Buildings

- 5.3. 423-425 Caledonian Road is a large 3 storey office block and is situated to the south of Brewery Road and is the only building on this parcel of the site. The offices are currently let to the British Transport Police until May 2016. This building has been

valued at rates of [REDACTED] per ft² with a capitalisation rate of 6% and an 18 month void period post expiry comprising 6 months marketing period and a 12 month rent free letting incentive.

- 5.4. 4 & 6 Brewery Road are two separate three storey buildings on the northern side of Brewery Road and are separated by Balmoral Grove. Both of these units offer light industrial accommodation on the ground floor with office space over the 1st and 2nd floors. No.4 is currently vacant and no. 6 is subject to a lease expiring December 2015. These two units have been valued at [REDACTED] per ft² with a capitalisation rate of [REDACTED] with a [REDACTED] month void period comprising 3 months marketing period and a [REDACTED] month rent free letting incentive.
- 5.5. We note Lambert Smith Hampton had been marketing No 6 in 2012 on the basis of a lease subject to a landlord only rolling break at a rental level of [REDACTED] pcf. This is significantly below the level currently proposed however the market has clearly moved on and the limited term offered would in our view substantially impact the rent achievable.
- 5.6. 431 Caledonian Road is a three storey purpose built office building built in the 1970s with an extensive shop front style fenestration at street level. The upper floors have separate access from street level. The floors provide a mix of open plan and smaller cellular offices. We note that internal specification of this building is rather poor, for example limited there is limited underfloor trunking, some localised heating provision and isolated ceiling mounted comfort cooling cassettes. This building has been valued at average rates of [REDACTED] per ft² with a capitalisation rate of [REDACTED] and a [REDACTED] month void period comprising [REDACTED] months marketing and a [REDACTED] month rent free letting incentive.
- 5.7. The table below summarised the market evidence provided and it suggests that rents in the local area range from lower levels of around [REDACTED] to over [REDACTED]. Apart from location a key factor in the rental level would appear to be the quality of the space on offer. In this case the relative condition of each building supports the rental levels assumed by Strettons given that it would appear that no refurbishment allowance has been made.

Address	Size m ² (ft ²)	£/m ² (ft ²)	Asking Rent
103 Copenhagen Street, N1 0JN	88 (944)	£170 (£16)	£15,000
Waterloo Gardens, Milner Sq., N1 1TY	103 (1,111)	£310 (£29)	£31,997
Business Units, Cedar Way, N1C 4PD	139 (1,500)	£144 (£13)	£20,000
The Studios, 3 Hornsey Street, N7 8GR	105 (1,125)	£356 (£33)	£37,193
7 Dowdney Close, NW5 2BP	115 (1,238)	£135 (£12.5)	£15,475

- 5.8. With regards to the capitalisation yields assumed by Strettons we note that CBRE research² suggests an all office yield of 5.26% with prime London space achieving sub 5%. With regards to this particular space we agree with the proposed approach which reflects the secondary location and condition of the space available.
- 5.9. The rental void periods stated, comprising marketing period and a rent free period as a letting incentive would appear to be reasonable given the absence of refurbishment assumptions. We note that the smaller units at Brewery Road have a

² CBRE Limited, Marketview UK Prime Rent and Yield, Q3 2015

relatively short void of 6 months which is perhaps optimistic but the rental level suggested would in our view represent an appealing rate and therefore it would not be unreasonable to suggest a 6 month void for this space.

Light Industrial

- 5.10. 433 & 435 Caledonian Road are adjoining two storey buildings that were constructed as warehouse space. Both buildings are stated as being in need of internal refurbishment and we expect this to be reflected in Strettons assumptions. This space has been valued at [REDACTED] per ft² for the ground floors with the lower rate of [REDACTED] per ft² and [REDACTED] per ft² applied to the mezzanine floor space in 435 and 433 respectively. A void period of 12 months comprising 4 months for marketing and 8 months' rent free letting incentive has been assumed.
- 5.11. Balmoral Grove is the internal road into the site and the units comprise purpose built business space accommodating light industrial use along the east and west side of the roadway. The rents have been applied at rates between [REDACTED] per ft² depending on the repair, position and size of the respective unit. All of the rents have been capitalised at a rate of [REDACTED].
- 5.12. The comparable evidence provided for the industrial space in the Strettons report is extensive and our own research has shown limited further relevant data available. This market evidence would suggest that the rents applied to the light industrial space are in line with current market expectations.
- 5.13. The yields applied of [REDACTED] would appear to be reasonable although we note that the capital values per ft² of the comparable evidence provided, ranges from [REDACTED] for an inferior site to [REDACTED] for what is a broadly similar site in terms of location but slightly superior quality. The capital value rates of the light industrial units by contrast appear realistic. Research suggests that current industrial yields are nationally at levels averaging [REDACTED] and [REDACTED] for space in London, although we would expect these rates to apply to premium accommodation. However this space is of fairly poor quality and as such we are of the opinion that [REDACTED] is broadly in line with expectations.
- 5.14. The six month void period with three months marketing and three months' rent free is a reasonable assumption for this type of space given that they would most probably be let on a shorter term basis given the site's evident redevelopment potential.

Warehouse

- 5.15. The warehouse unit at 1-9 Market Road is on the south side of Market Road to the west of the junction of Caledonian Road. The unit backs onto Balmoral Grove and is a purpose built warehouse with a two storey extension with office accommodation fronting Market Road. The space is currently occupied with the tenants due to vacate the premises in December 2015. A rental value of [REDACTED] per ft² has been applied to this space with a capitalisation yield of [REDACTED]. A void period of 9 months has been allowed with 3 months for marketing and the remaining 6 as a rent free period.
- 5.16. The space at Market Road would appear to be of a reasonable standard and given the comparable warehouse evidence provided it would not appear to be

unreasonable to assume a [REDACTED] per ft² rent. The yield at 6% is supported by the evidence provided and as such we see no reason to alter this figure.

Premium

- 5.17. A premium of 20% has been added to the EUV which, in our opinion is optimistic given the overall site condition and apparent parity with prevailing market values. The scale of the uplift must be proportionate to the impact of the change of use and relative to what the market would pay for this site on a policy compliant basis for its development potential.
- 5.18. The buildings on site are generally in a tenable condition and it would be expected that the tenant would expend money on a limited refurbishment. However longer term, the landlord would be expected to undertake more far reaching refurbishment to maintain income flows given the relatively poor condition and as such one must consider the potential costs that could be associated with such refurbishment. Therefore based on the current condition of the site we are of the opinion that a 10% premium is reasonable in this case as in effect the existing use valuation already makes an assumption that income will be protected into the future without allowing for investment to do this.
- 5.19. On this basis we calculate an alternative benchmark value of [REDACTED].

6.0 Costs

- 6.1. Our Cost Consultant, Neil Powling, has reviewed the Faithful and Gould Cost Estimate and he is of the opinion that the costs benchmark well against relevant BCIS indices. Neil's full report is set out in Appendix 1.
- 6.2. Professional Fees have been included at a rate of 12% of total construction costs which reflects the upper end of the usually considered scale but we accept that this figure appears reasonable in this context.
- 6.3. An additional cost for National House-Building Council (NHBC) guarantees has been included at a rate of £2,000 per unit for all of the residential units. A total payment of £504,000 has therefore been included in the appraisal.
- 6.4. Commercial Fees have been calculated on the Sale, Letting and Marketing of the commercial space. Sales agent fees have been included at 1% of commercial Net Development Value with sales Legal fees at 0.5% of the annual rental income and purchasers costs. Letting agent and legal fees have been included at 10% and 5% respectively on rental value. Commercial marketing fees have been calculated at £2.5 per ft² on gross commercial area.
- 6.5. Residential Fees have been included on the market GDV at a rate of 1.5% for marketing and agents' fees and 0.5% for legal fees.
- 6.6. Finance has been included at an 'all in' rate of 6.75% which is a realistic assumption given current market conditions.
- 6.7. Profit on costs has been calculated at different rates across the different components. A rate of 25% has been used for the private market housing, a rate of 20% for the commercial element and a rate of 6% for the affordable housing

element. We agree that the approach taken and rates applied are in line with market expectations.

- 6.8. Planning Obligations have been included for both Mayoral and Borough CIL at £1,074,799 and £3,474,456 respectively.

7.0 Residential Values

- 7.1. The residential values have been provided on a unit by unit basis by CBRE and are briefly summarised below:

Unit Type	Count	Average Price	Average Area m ² (ft ²)	£/m ² (ft ²)
1 Bed	43	████████	55.5 (597)	████████
2 Bed	107	████████	79.4 (790)	████████

- 7.2. CBRE has based the sales values on a number of transactions and asking prices together with an adjustment to reflect the key aspects of this site. We discuss the sales evidence provided by CBRE in further detail below.

- 7.3. The Harper Building on Holloway Road is approximately a mile to the northeast of the subject site next to Holloway Road Underground station. The building was converted from office space under permitted development rights and has been refurbished to a reasonably high standard. There are 8 units currently listed and comprise 2 x studios, 2 x one beds and 4 x two beds. The average asking prices per unit and by floor area are as follows:

No. of Bedrooms	Area m ² (ft ²)	Asking Price	£ per m ² (ft ²)
Studio	27 (294)	████████	████████
1 Bedroom	49 (527)	████████	████████
2 Bedrooms	69 (742)	████████	████████

- 7.4. 400 Caledonian Road is approximately 0.2 miles to the south of the subject site and is situated next to Caledonian Road & Barnsbury overground station. The development comprises 25 new homes and some commercial space. There are a number of one, two and three bedroom units listed and we summarise the average prices for the one and two bedroom units below:

No. of Bedrooms	Area m ² (ft ²)	Asking Price	£ per m ² (ft ²)
1 Bedroom	████████	████████	████████
2 Bedrooms	████████	████████	████████

7.5. 321 Holloway Road is close to the junction of Caledonian Road with Holloway Road and is under a mile from the subject site. It would appear that a number of the units were sold off site sometime in late 2014. The average values achieved are given as £706 per ft². We have located a listing from September 2014 for a one bedroom flat at the scheme for £440,000 which reflects a price of £8,800 per m² (£818 per ft²).

7.6. The Barratt Homes development at Queensland Terrace is in relatively close proximity to The Harper Building and is in-between Holloway Road and Drayton Park Stations. There are currently a number of one and two bedroom units listed for sale and we note that asking price per m² would appear to be fairly high but we highlight that most of these units have private balconies and that the scheme also has a residents gym. The average asking prices are as follows:

No. of Bedrooms	Area m ² (ft ²)	Asking Price	£ per m ² (ft ²)
1 Bedroom	46 (490)	£466,188	£10,244 (£952)
2 Bedrooms	80 (860)	£671,667	£8,489 (£789)

7.7. Xchange Point is, in location term, the closest of the comparable developments listed as it is situated on the north side of Market Road and opposite Market-Road Gardens which borders the north and west of the subject site respectively. According to CBRE a recent 2 bed resale achieved £7,858 per m² (£730 per ft²) and we note that there are currently two one bedroom units listed with an average asking price of £8,744 per m² (£812 per ft²).

7.8. The conclusions and proposed residential pricing produced by CBRE is, in our opinion, reasonable in light of the available evidence. It has been further supported by relevant evidence provided by DS2 of new build and second hand transactions which reinforce the values applied.

8.0 Affordable Values

8.1. It is proposed to provide a total of 102 affordable units on site which represents a 40% provision. The units size and tenure are shown below:

Unit Type	Shared Ownership	Social Rent
1 Bed	5	2
2 Bed	15	59
3 Bed	0	21
Total	20	82

8.2. The 20 shared ownership units have been valued at [REDACTED] which has been assessed using Pro Val appraisal software. We assume, based on our own analysis, that this is calculated on the basis of a 25% equity sale with a 1.5% rent on the unsold equity. The value could be increased further if an element of staircasing were assumed but we note that this would take the values towards the upper end of the Mayoral Income brackets and would impact overall affordability.

- 8.3. Social Rented values have similarly been calculated by D52 using the Pro Val appraisal software and are stated at [REDACTED]. Again no valuation assumptions have been provided. Using the rent caps set out by the government in its Guidance on Rents for Social Housing we estimate rates of [REDACTED] per m² [REDACTED] or m²) which suggests that the value proposed is broadly reasonable.

9.0 Ground Rents

- 9.1. A total ground rent income of [REDACTED] has been included in the appraisal and is based on the assumption of [REDACTED] per unit capitalised at 5% less purchaser costs. These assumptions are in line with current market trends.

10.0 Commercial Values

- 10.1. The proposed development is set to include 8,241m² (88,709ft²) (GIA) of commercial floorspace. This consists of a mix of retail (A1-3) use, Employment (B1a-c) and Affordable Employment (B1a-c) space.
- 10.2. We note that the void periods stated by Strettons have not been included in the capitalisation calculations in the Argus appraisal provided but have been included within the Argus development cash flow.

Retail Space

- 10.3. The retail floor space has been valued at £18psf with a capitalisation rate of 6% and a 15 month void period. Further to the evidence supplied in the Strettons Market Revenue Report we have considered the following local transactions and listings.

Address	Date	Area m ² (ft ²)	Rent	£/m ² (ft ²)
627-635 Holloway Rd, N19	08/04/15	518 (5,574)	£102,500	£198 (£18)
136-138 Kentish Town Rd, NW1	01/07/15	328 (3,533)	£59,999	£152 (£14)
298 Holloway Rd, N7	01/03/15	246 (2,653)	£36,000	£146 (£14)
3 Brecknock Road, N7	Asking	94 (1,015)	£20,000	£213 (£20)
2 Cottage Road, N7	Asking	279 (3,000)	£75,000	£269 (£25)
282 Caledonian Road, N1	Asking	40 (426)	£16,000	£400 (£38)
457-463 Caledonian Road, N7	Asking	71 (762)	£22,000	£310 (£29)

- 10.4. We note that the proposed space is intended for single occupancy and that it is larger than the sales evidence provided by Strettons and identified by ourselves and listed above. We would expect asking prices to be above the level of achieved prices and it should be noted that the above transaction relate to second hand stock, although this factor is much less of an issue in respect of retail property. The quality of the stock in some of the cases is offset by superior locations either closer to transport hubs or on more prominent roads. Overall we take the view that the rent applied of £18 per ft² appears realistic in light of the available evidence.
- 10.5. With regards to retail yields we note that there is limited local evidence available. The ground and basement space at 212-220 Essex Road was sold on a long leasehold for £670,000 in late 2014 with a rent of £48,000 p.a. reflecting a yield of 7.16%. Slightly further east 535-537 Kingsland Road was sold earlier this year with an asking price of £1.55million and a rent passing of £85,250 reflecting a yield of 5.5%

although it should be noted that this premises included residential space on the upper floors. It would appear that the yield applied of 6% falls within the range set by the available evidence given the size, location and quality of space on offer.

- 10.6. The assumed void period of 15 months, is in our opinion overly long given that the unit will be sited in what Strettons call a 'high profile and sizable residential scheme'. The comparable evidence provided also suggests shorter rent free periods of 3 to 6 months. We note that the rent free in this case is assumed to be longer due to the intention to handover the unit in shell condition and therefore the fit out costs would be carried by the tenant and reflected in the longer rent free period. Overall we are of the opinion that a 12 month void would be more reasonable.

Commercial Space

- 10.7. The commercial space on site has been valued at [REDACTED] m² ([REDACTED] per ft²) for the open market space with a 50% deduction for the affordable floor space. The assumptions applied can be summarised as follows:

Commercial Tenure	Rent per m ² (ft ²)	Yield	Void
Employment (B1a-c) Affordable	[REDACTED]	6%	3 months
Employment (B1a-c) Building Seven	[REDACTED]	6.25%	9 months
Employment (B1a-c)	[REDACTED]	6%	6 months

- 10.8. The comparable evidence provided in the Strettons report is fairly comprehensive but it does not include what are, in our opinion, some important transactions. In particular the space available at Hornsey Street. The table below contains local transactions that have occurred in the last year that were not referred to by Strettons:

Address	date	Size m ² (ft ²)	Rent	£/m ² (ft ²)
Unit 3B (Grd), 6 Hornsey Street, N7	01/09/15	97 (1,042)	£23,455	£242 (£23)
1st floor, 144 Liverpool Road, N1	01/09/15	131 (1,410)	£42,000	£321 (£30)
8th floor, King's Cross Central, N1C	01/08/15	68 (729)	£32,805	£484 (£45)
Unit 2b, 6 Hornsey Street, N7	01/03/15	51 (549)	£19,940	£391 (£36)
Unit 29a, 6 Hornsey Street, N7	01/03/15	51 (550)	£23,997	£470 (£44)
Grd & 1st, 16b Clouesley Street, N1	01/01/15	82 (887)	£35,480	£431 (£40)

- 10.9. With regards to the space available at Hornsey Street, known as The Studios N7, we appreciate that the location is marginally superior to the proposed site being in close proximity to Holloway Road but it gives a good indication as to rents for the area for newer stock. The following table is a schedule of space currently available at The Studios:

Unit no.	Rent	Floor Size m ² (ft ²)	£/m ² (ft ²)
2	17,400	40 (435)	431 (40)
5	57,600	178 (1,917)	323 (30)
6	33,600	122 (1,040)	276 (32)

22 - Shell Only	27,720	137 (1,479)	202 (19)
23 - Shell Only	24,600	120 (1,294)	205 (19)
28 - Shell Only	23,400	95 (1,018)	247 (23)

- 10.10. Given the achieved and asking rents of these comparable units it would not be unreasonable to assume higher rents for the new build units at the proposed scheme. The location is fairly good given the distance to both the underground to the north and the overground to the south. We suggest a modest increase to [REDACTED] per m² ([REDACTED] per ft²).
- 10.11. CBRE research³ suggests all office yields of 5.26% with Central London at 4.25% and Suburban London at 5.89%. On this basis we are of the opinion that the yields of 6% and 6.25% are largely reasonable given the location of the premises and quality of space available. With regards to the void periods assumed by Strettons we are of the opinion that they are broadly reasonable.
- 10.12. There is 347m² (3,734 ft²) of affordable workspace. This has been valued at 50% of market rent with a 3 month void period. The quantum of space represents a 5% provision on the total commercial space.
- 10.13. Overall our suggested changes would increase the GDV of the commercial element to a total of [REDACTED] when including the rent free period in the calculations.

11.0 Basement Impact

- 11.1. We have been specifically requested by the Council to examine the impact of removing the basement from the appraisal and the subsequent impact upon viability. The basement itself will contain 26 spaces with 10 allocated to the affordable units and 16 for the market residential units. All of the spaces will be provided for disabled users.
- 11.2. The private spaces have a GDV of £480,000 whereas the cost of the basement is [REDACTED] in the cost plan and £4.6 million in the appraisal, representing an approximate net cost of [REDACTED].

BPS Surveyors

³ CBRE Limited, Marketview UK Prime Rent and Yield, Q3 2015

Project: Caledonian Road, N1

Independent Review of Assessment of Economic Viability

Interim Draft Report Appendix A Cost Report

1 SUMMARY

- 1.1 We have not included demolitions, external works or external services in our benchmarking - all of these are abnormal costs that are not included in BCIS average build cost rates.
- 1.2 We have not benchmarked the basement but have reviewed the estimated costs and consider them reasonable.
- 1.3 The results of our benchmarking show that Block B is in line with the adjusted benchmark, Blocks A, C & D are below benchmark. This is most probably because of the scale of the project that is a significantly higher cost than the ones included in the average BCIS database with resultant economies of scale. The commercial works are slightly less than BCIS shell only offices. We are satisfied that the Applicants costs for all these sections are reasonable.

2 METHODOLOGY

- 2.1 The objective of the review of the construction cost element of the assessment of economic viability is to benchmark the applicant costs against RICS Building Cost Information Service (BCIS) average costs. We use BCIS costs for benchmarking because it is a national and independent database. Many companies prefer to benchmark against their own data which they often treat as confidential. Whilst this is understandable as an internal exercise, in our view it is insufficiently robust as a tool for assessing viability compared to benchmarking against BCIS.
- 2.2 BCIS average costs are provided at mean, median and upper quartile rates (as well as lowest, lower quartile and highest rates). We generally use mean or upper quartile for benchmarking depending on the quality of the scheme. BCIS also provide a location factor compared to a UK mean of 100; our benchmarking exercise adjusts for the location of the scheme. BCIS Average cost information is available on a default basis which includes all historic data with a weighting for the most recent, or for a selected maximum period ranging from 5 to 40 years. We generally consider both default and maximum 5 year average prices; the latter are more likely to reflect current regulations, specification, technology and market requirements.
- 2.3 BCIS average prices are also available on an overall £ per sqm and for new build work (but not for rehabilitation/ conversion) on an elemental £ per sqm basis. We generally consider both. A comparison of the applicants elemental costing compared to BCIS elemental benchmark costs provides a useful insight into any differences in cost. For example: planning and site location requirements may result in a higher than normal cost of external wall and window elements.

- 2.4 If the application scheme is for the conversion, rehabilitation or refurbishment of an existing building, greater difficulty results in checking that the costs are reasonable, and the benchmarking exercise must be undertaken with caution. The elemental split is not available from the BCIS database for rehabilitation work; the new build split may be used instead as a check for some, but certainly not all, elements. Works to existing buildings vary greatly from one building project to the next. Verification of costs is helped greatly if the cost plan is itemised in reasonable detail thus describing the content and extent of works proposed.
- 2.5 BCIS costs are available on a quarterly basis - the most recent quarters use forecast figures, the older quarters are firm. If any estimates require adjustment on a time basis we use the BCIS all-in Tender Price Index (TPI).
- 2.6 BCIS average costs are available for different categories of buildings such as flats, houses, offices, shops, hotels, schools etc. The Applicant's cost plan should keep the estimates for different categories separate to assist more accurate benchmarking.
- 2.7 To undertake the benchmarking we require a cost plan prepared by the applicant; for preference in reasonable detail. Ideally the cost plan should be prepared in BCIS elements. We usually have to undertake some degree of analysis and rearrangement before the applicant's elemental costs can be compared to BCIS elemental benchmark figures. If a further level of detail is available showing the build-up to the elemental totals it facilitates the review of specification and cost allowances in determining adjustments to benchmark levels. An example might be fittings that show an allowance for kitchen fittings, bedroom wardrobes etc that is in excess of a normal benchmark allowance.
- 2.8 To assist in reviewing the estimate we require drawings and (if available) specifications. Also any other reports that may have a bearing on the costs. These are often listed as having being used in the preparation of the estimate. If not provided we frequently download additional material from the documents made available on the planning website.
- 2.9 BCIS average prices per sqm include overheads and profit (OHP) and preliminaries costs. BCIS elemental costs do not include these. Nor do elemental costs include for external services and external works costs. Demolitions and site preparation are excluded from all BCIS costs. We consider the Applicants detailed cost plan to determine what, if any, abnormal and other costs can properly be considered as reasonable. We prepare an adjusted benchmark figure allowing for any costs which we consider can reasonably be taken into account before reaching a conclusion on the applicant's cost estimate.
- 3 GENERAL REVIEW
- 3.1 We have been provided with and relied upon the Financial viability Assessment dated September 2015 prepared by D52 LLP together with its appendices including Appendix 10 the Cost Model Rev 02 dated 18th September 2015 prepared by Faithful & Gould (F&G) in the total sum of [REDACTED] including a 5% contingency.
- 3.2 The appraisal at Appendix 12 includes the following sums:-
[REDACTED]

Construction costs

Contingency

Demolition

External works

External services

Chapel

Total

- 3.3 We are therefore satisfied that the estimate and the appraisal are consistent.
- 3.4 The estimate includes allowances of 14% for preliminaries costs, 5% for profit and overheads and a 5% contingency. We consider all these allowances to be reasonable.
- 3.5 The estimate has been prepared in broadly BCIS elemental format although elements 2A & B frame and upper floors have been combined, elements 2E & F external walls and windows and external doors have been combined and most of the services elements are combined as mechanical and electrical services. The estimate is in reasonable detail, and divided into separate blocks plus demolitions, basement, external works and services infrastructure. Unfortunately elements have not been sub-totalled which has required a lengthy arithmetic exercise in order to prepare the attached file "Elemental analysis & BCIS Benchmarking."
- 3.6 The estimate has added [REDACTED] as an inflation adjustment to the construction period mid-point from the base date 3Q2015 but excluding inflation to start on site. This adjustment is 7.17%. F&G have not shown the basis of their calculation, but our calculation from 3Q2015 (TPI 272) to 1Q22017 (TPI 291) is slightly different at 6.99%. We have added a column to each of the sections with the elemental totals adjusted by +7.17% to provide a comparison to BCIS elemental totals.
- 3.7 We have downloaded current BCIS data for benchmarking including a location factor for Islington of 125; we have adjusted for this factor in our benchmarking.
- 3.8 We have not included demolitions, external works or external services in our benchmarking - all of these are abnormal costs that are not included in BCIS average build cost rates.
- 3.9 We have not benchmarked the basement but have reviewed the estimated costs and consider them reasonable.
- 3.10 The results of our benchmarking show that Block B is in line with the adjusted benchmark, Blocks A, C & D are below benchmark. This is most probably because of the scale of the project that is a significantly higher cost than the ones included in the average BCIS database with resultant economies of scale. The commercial works are slightly less than BCIS shell only offices. We are satisfied that the Applicants costs for all these sections are reasonable.

BPS Chartered Surveyors
Date: 5th November 2015

Islington SE GIS Print Template



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P2015-3989-FUL

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PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration
Department
PO Box 333
222 Upper Street

PLANNING COMMITTEE		
Date:	19 th January 2016	NON-EXEMPT

Application number	P2015/3977/FUL
Application type	Full Planning
Ward	Junction
Listed building	None
Conservation area	Within 50m of: Holborn Union Infirmary Conservation Area; and St John's Conservation Area
Development Plan Context	Archway Town Centre Site Allocations (ARCH1) Archway Tower and Island site (the Core Site)
Licensing Implications	None
Site Address	Hill House, 17 Highgate Hill, London, N19 5NA
Proposal	Recladding of existing building; creation of a new residential entrance in eastern facade; erection of a ground floor front extension and reconfiguration of existing retail floorspace; installation of new shops fronts; erection of a wind canopy and landscaping; creation of roof terraces above the plinth; erection of a two storey extension to the tower to create 9 self- contained dwellings and rooftop terraces; and creation of a 2 storey refuse / recycling facilities and cycle store in undercroft of west elevation.

Case Officer	Geraldine Knipe
Applicant	BODE Limited
Agent	CMA Planning

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission subject to conditions and s106 legal agreement set out in Appendix 1.

2. SITE PLAN (site outlined in red)



3. PHOTOS OF SITE/STREET



Figure 1: Existing building and Archway Town Square from MacDonald Road



Figure 2: Existing building (looking east)



Figure 3: Existing building (looking west)



Figure 4: Archway Town Square



Figure 5: Existing shopfronts at the base of Hill House and pedestrian route to Holloway Road

BACKGROUND

- 3.1 This application follows on from a previous consent P2014/3385/FUL issued in November 2014 for recladding of the existing building, creation of new residential entrance in eastern façade, erection of a ground floor front extension and reconfiguration of existing retail floorspace, installation of new shop fronts, erection of wind canopy and landscaping. Some of the elements in that previous application are now included again within this current proposal. The differences between the two proposals amount to; creation of roof terraces above the plinth; erection of a two storey extension to the tower to create 9 self-contained dwellings and rooftop terraces; and creation of a 2 storey refuse / recycling facilities and cycle store in undercroft of west elevation.

SUMMARY

- 3.2 The proposal as a whole involves the creation of roof terraces above the plinth; erection of a two storey extension to the tower to create 9 self-contained dwellings and rooftop terraces; creation of a 2 storey refuse / recycling facilities and cycle store in undercroft of west elevation, re-cladding of Hill House, and the creation of a new entrance into the building. The proposals also include a front extension to, and the re-configuration of, the retail floorspace at ground floor, the insertion of new shop fronts, erection of a wind canopy and landscaping of Archway Town Square.

- 3.3 The residential conversion of floors 1-4 & 6-12 of the building which this application relates to cannot be considered within the remit of this application but clearly the ability of the applicant to implement a residential use in place of the office use under prior approval permitted development rights is a material consideration in looking at the appropriateness of the design changes within this application. The proposal is considered acceptable in terms of the principle of redevelopment of the exterior of the building, the design quality and appearance of the changes, the suitability of the proposed ground floor extension, impact on the adjoining conservation areas and inclusive design. Furthermore, the proposals are considered to have regard to the emerging design changes to façade of neighbouring buildings, namely Hamlyn House and Archway Tower. The two storey extension to the central tower, when taken on the context of the surrounding townscape which already features several tall buildings in close proximity, is not considered to create such harm as to be disruptive to the appearance of the area. Similarly, the extensions to the rear are considered to be in proportion to the scale of the building and otherwise acceptable for their function.
- 3.4 In order to create a residential entrance into the building off Archway Town Square, the proposals require for a shop unit to be removed from the Archway Mall frontage. The loss of this unit is off-set by the erection of a front extension and re-configuration of the existing retail floorspace. The development would not result in a reduction in the total number of retail units. There would however be a 25sqm loss of retail floorspace, but this is considered to be outweighed by the wider public benefit of the proposals to the existing rundown state of the Town Centre. This assessment has already been established through application P2014/3385/FUL.
- 3.5 The landscaping principles for the regeneration of the town square are considered to be appropriate and further details are required through planning conditions. In terms of the existing site's wind micro-climate, it is accepted that the proposed trees and wind canopy would significantly improve the wind conditions beneath the tower. The proposals would not have an adverse impact on residential amenity. This assessment has already been established through application P2014/3385/FUL

4. SITE AND SURROUNDING

- 4.1 The application site is a circa 0.74 hectare parcel of land in the north of the borough. It comprises the following primary elements:
- 'Hill House', an early 1970s office building standing at part 4 and part 13 storeys in height;
 - 'Archway Mall', a number of mainly vacant retail units on the ground floor level of Hill House;
 - An area of hard-landscaping between Hill House, Highgate Hill (inc Archway Town Square) and Junction Road;
 - A car park / hard-standing area to the rear (west) of Hill House;

- 4.2 The proposals being considered under this application relate primarily to the Hill House office building and retail units on the ground floor which are all substantially vacant.
- 4.3 The applicant advises that some of the lower floors of the existing tower have already been converted to provide residential accommodation and have been occupied. The 5th floor of the building is currently in use as a D1 training facility and therefore does not benefit from a residential consent.
- 4.4 The site has a central location in Archway town centre and is the “Archway Tower and Island Site (the Core Site)” which is identified as a key regeneration opportunity for the borough. Archway is one of Islington’s four designated town centres and contains a mix of retail, commercial, leisure and social / community uses as well as being home to a vibrant residential community.
- 4.5 There are number of significant development proposals taking place within the locality, namely the redevelopment (including the re-cladding) of Archway Tower to residential (under Prior Approval) and Hamlyn House to a 157 bed hotel with ancillary restaurant. Details for the transformation of Archway Gytratory have been agreed and are scheduled for completion in 2016.
- 4.6 In terms of public transport the site has PTAL rating of 6b through being situated above Archway Underground station and within close proximity to a number of bus routes.
- 4.7 St John’s Grove Conservation Area abuts the south to east boundary of the site. To the north east boundary of the site are two Local Views towards St Paul’s Cathedral (LV4 from Archway Road and LV5 from Archway Bridge).

5. PROPOSAL (IN DETAIL)

- 5.1 The proposal is to remove the existing cladding from the building and strip back the internal fabric of the building to the concrete frame. Alterations will be made to the structural floors and walls to accommodate modern lifts and introduce services necessary for a residential use.
- 5.2 At the base of the tower the proposals would remove a retail unit and create an entrance into Hill House, off Archway Town Square. To offset the loss of this retail unit a ground floor front extension of existing retail units is proposed. This projects 2.5m into the existing pedestrian route between the Town Square and Highgate Road and Macdonald Road and has an area of approx. 70sqm. The proposals also incorporate the reconfiguration of the existing 8 retail units on the ground floor of the building and the installation of new shop fronts. The total number retail units remain unchanged.
- 5.3 The proposals include an L shaped canopy under Archway Tower which is designed to mitigate the wind conditions that blight this part of the site. Extensive landscaping of Archway Town Square is also proposed as part of this application which includes new surfacing materials, tree planting, seating and lighting. These elements have already been agreed under the previous consent P2014/3385/FUL.

It is also proposed to add two storeys to the top of the central tower in order to provide additional residential accommodation. These changes will increase the height of the tower by 7.5m, i.e. the height will increase from 42m to 49.5m. Private and shared amenity space in the form of roof terraces and winter gardens will be provided and a refuse and cycle storey to the rear of the tower is proposed in a two storey infill extension.

6. RELEVANT HISTORY

6.1 Provided below is a planning history of the application site:

Application Ref(s)	Proposal	Decision	Date
P2015/4052/PRA	Prior approval application in relation to the change of use of floors ground to 4 and 6 to 11 from B1(a)office to C3 (residential) creating 147 residential units	APPROVED	
P2015/0124/AOD	Approval of details pursuant to condition 14 [CEMP] of planning permission ref: P2014/3385/FUL	WITHDRAWN	
P2014/4324 P2014/4326 P2014/4327 P2014/4328 P2014/4329 P2014/4330 P2014/4331 P2014/4332 P2014/4333 P2014/4334	Applications to establish that the current lawful use of the building (floors 1-4 and 6-12) is Class C3 (with a flexible C3 / B1 use for those parts of the building that are still be used for used for office purposes)	WITHDRAWN	
P2015/2908/PRA	Prior Approval application in relation to the following considerations arising from the change of use of ground floor-4 and 6-11 of the building from Class B1(a) office to residential use (C3) use class creating 147 residential units: a) transport and highways impacts of the development b) contamination risks on the site; and c) flooding risks on the site	REFUSED	20/08/2015
P2015/2122/FUL	Erection of a single storey building with flat roof to	APPROVED	19/10/2015

	create a 37sqm (GEA) plant room at the southern end of Hill House along with enclosed external area		
P2015/0607/FUL	Certificate of Lawfulness (existing) in connection with change of use of the second floor from offices (Class B1a) to 21 self contained dwellings (Class C3).	REFUSED	03/07/2015
P2015/0124/AOD	Approval of details pursuant to condition 14 [CEMP] of planning permission ref: P2014/3385/FUL	WITHDRAWN	
P2014/4940/AOD	Approval of details pursuant to condition 5 (tree protection) of planning permission ref: P2014/3385/FUL	Approved	14/01/2015
P2014/3385/FUL	Recladding of existing building, creation of new residential entrance in eastern façade, erection of a ground floor front extension and reconfiguration of existing retail floorspace, installation of new shop fronts, erection of wind canopy and landscaping	APPROVED with conditions	19/11/2014
P2014/2288/AOD	Approval of details pursuant to condition 2 (refuse) of planning permission reference P2014/1161/PRA dated 21 May 2014	Approved	11/07/2014
P2014/2289/AOD	Approval of details pursuant to condition 4 cycle parking P2014/1161/PRA	Approved	11/07/2014
P2014/1161/PRA	Prior Approval application in relation to the following considerations arising from the change of use of floors 1-4 and 6-12 of the building to residential use (C3) use class creating up to 150	Approved, subject to conditions and s106	21/05/2014

	residential units.		
P2014/0332/PRA	Prior Approval application in relation to the following considerations arising from the change of use of the building of floors 1 to 4 and 6 to 12 to residential use (C3) use class creating 141 residential units.	Approved	20/03/2014
P070282	Change of use of upper ground floor from Class B1 (business) to Class D1 (medical or health services) and a 7th floor from D1 to B1 (offices)	Approved	26/03/2007
P060155	Change of use of the fifth floor from B1 Offices to D1 use as an interview centre for patients	Approved	20/03/2006
P011806	Variation of condition 4 of planning decision 96/2016 (12th March 1997) to make the use personal to Interact Health Management Ltd.	Approved	11/09/2001
962016	Change of use of part of 7th floor to a private occupational health service centre	Approved	12/04/1997
901572	Replacement of spandrel panels and provision of tinted glass to all elevations.	Approved	04/02/1991
901593	Change of use of caretakers flat to office and enclosure of balcony	Approved	23/04/1991
871799	Use of the 11th floor as offices.	Approved	01/02/1988
840657	Change of use of ninth floor from offices to Youth Training Centre	Approved	27/06/1984
880195	Change of use of 11th floor from residential to office use.	Approved	09/05/1988

881288	Enclosure of the 11th floor balcony.	Approved	15/12/1988
850632	Change of use of part of the 6th floor from offices to training school.	Approved	17/06/1995

6.2 Provided below are some applications on neighbouring sites / buildings are relevant to the consideration of this planning application:

Archway Tower, 2 Junction Road

Application Ref(s)	Proposal	Decision	Date
P2014/0688/FUL	External alterations involving the erection of double height extension at ground floor to form new entrance and the re-cladding of the existing building, including a new treatment to the 16th and 17th floors.	Refused & Allowed on appeal subject to conditions.	17/06/2014 & 07/08/2014
P2014/1614/FUL	External alterations involving the erection of double height extension at ground floor to form new entrance and the re-cladding of the existing building, including a new treatment to the 16th and 17th floors	Refused	02/07/2014
P2013/2861/PRA	Application for prior approval of the Local Planning Authority for the change of use of the upper floors from B1 (a) office accommodation to 118 residential flats (C3 Use class) comprised of 59 x 1 bed units, 29x 2 bed units, 30 studio units.	Approved	27/09/2013

Hamlyn House, 21 Highgate Hill

Application Ref(s)	Proposal	Decision	Date
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P2013/0399/FUL	Change of use of floors 1-8 and part ground floor from office use (Class B1) to a 157 bedroom hotel (Class C1) and ancillary restaurant, including re-cladding of the building, demolition of the first floor link building located on the eastern side of the building (connecting to Hill House) along with the retention of 73 existing car parking spaces and the introduction of associated landscaping.	Approved, subject to conditions and s106	17/03/2014
P2014/4258/AOD	Approval of details pursuant to condition 3 (materials) of P2013/0399 dated 17 March 2014	Approved	

Pre-Application Advice:

- 6.3 The proposed development has been subject to pre-application discussions with the council and at least part of the proposal has already been agreed under a previous consent. The applicant had entered into specific pre-application discussions in relation to the increase in height of the central tower.

7. CONSULTATION

Public Consultation

- 7.1 Letters were sent to 467 occupants of adjoining and nearby properties at Junction Road on 08/10/2015. Site notices and a press advert were also displayed.
- 7.2 At the time of writing a total of 18 responses (1 in support and 17 objecting) had been received from local residents and groups. These are summarised below with the relevant paragraph number referring to responses within the report;
- There are enough towers in the area already. Para no.s 10.4-10.21
 - More of the ground level environment would be cast into shadow (Para. 10.34–10.37) and the existing character of the Victorian terraces on Junction Road would be severely undermined and dwarfed by such a development. (Para.10.4-10.21)

- the current proportions of the building are satisfying and architecturally coherent; to add storeys will make these buildings hugely overbearing and ugly (Para 10.4–10.21 and 10.38-10.43)
- There are already a significant number of applications bringing forward residential development in the area so don't need any more to the detriment of people already living in Archway (*Officer comment; although the wider development of Hill House will support the introduction of a sizeable residential density, the current application must be assessed on the basis of the impact of an additional 9 residential units*)
- Proposal adds more profitable flats for developer and nothing of substance to resolve the sites bleak office building, unwelcoming public spaces and poor shopping environment (Para.10.61 -10.66)
- Poor standard of accommodation for residential units (Para.10.49-10.52)
- One of the worst parts of Archway Mall is the space behind the post office which is used as a public lavatory. The proposals envisage leaving this as it is, likely to continue as a public urinal. (*Officers comment; the Post Office buildings and the wider site under the ownership of the applicants is subject to on-going discussions with officers and any public realm or design issues would be dealt with under a separate application*)

The issues raised in support

- This is a great proposal provided that there is a high quality finish

7.3 Better Archway Forum (BAF): This is a local group comprising around 1000 members in the north of the borough. BAF object to the proposals as they preclude compliance with planning policy in a number of ways:

- Still no opportunity for maintaining desire lines or pedestrian flow across the site (Para.10.61-10.66) (*Officers comment; the wider site under the ownership of the applicants is subject to on-going discussions with officers and any public realm or design issues would be dealt with under a separate application*)
- the tall buildings are a significant part of the problems and in no way a part of the strengths of Archway. If more storeys are added to Hill House, even more of the public domain will be blighted by shadow and close to unusable as public space.(Para. 10.34- 10.37)
- Islington Council and the London Plan has clear policies on tall buildings which this proposal runs counter to (Para. 10.4 – 10.21)
- The analysis of Archway found that, notwithstanding the district centre status, the area has predominantly low level buildings and the tallest building, Archway Tower, dominates the area and is not in context

with the height of the surrounding area. The area's importance is defined by the street network and does not require tall buildings to emphasise it. Tall buildings are considered out of context within the area and with little justification for any additional example as proposed here.(Para.10.4-10.21)

Recladding the existing envelope as proposed would mean it will not be possible to provide the necessary permeability of the site to allow circulation, footfall, additional frontages and overlooking of public spaces central to the Archway Framework and London Plan policies. We believe that the application is both harmful and contrary to policy, and therefore should be rejected. (Para. 10.38-10.43)

- 7.4 Officer's comments: *Many of concerns relating to access across the site which have been raised by BAF are associated with the wider masterplan proposals for the site. Developing a masterplan for the regeneration of the area is subject to ongoing pre-application discussions with the developer and public consultation with local residents and stakeholders (facilitated by the developer)*

External Consultees

- 7.5 London Underground: No objections have been raised to the development proposals subject to a condition requiring that a method statement be submitted and agreed in order to protect underground infrastructure and to control the use of tall structures.
- 7.6 Thames Water: raise no objection with regard to sewerage infrastructure capacity or water infrastructure capacity. With regard to surface water drainage is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. An informative is recommended.
- 7.7 Design Review Panel: The proposal in its final current proposed form has not been presented to the Design Review Panel. However, the proposal in its original form (without the 2 storey extension to the top of the tower) was presented on 5th August 2014. The Panel was generally supportive of the concept of regeneration and improvements to the Hill House tower. However, Panel members reminded the design team that integration with the other two towers and careful consideration of proposals to surrounding public realm including wind mitigation strategy was very important. Panel members raised some concerns in relation to environmental and technical performance of the proposed cladding system and required maintenance regime. They also encouraged the design team to improve the entrance to the building and stressed the importance of careful consideration of detailing.
- 7.8 London Borough of Camden: the site is over 400m from the nearest boundary with Camden. Due to this distance, it is considered that the scheme, involving various external alterations, erection of a two storey extension to the tower and creation of 9 new dwellings, will have no impact on

the borough of Camden. The design changes and additional height and bulk will have no impact on the streetscene and conservation area of Highgate or on neighbour amenities. The site does not fall within a protected strategic viewing corridor. The additional flats will not create a harmful impact on parking and traffic conditions further west in the Highgate area. It is this considered that there are no objections to the scheme and that it can be determined in accordance with Islington councils own planning policies. As such, the propose development is in general accordance with policies CS1, CS5, CS11 and CS14 of London Borough of Camden Local Development Framework Core Strategy and policies DP16, DP19, DP20, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 7.9 Crime advisor: The design and layout of the 9 additional units are adequate and sensible from a security perspective and there are no objections to the development.

Internal Consultees

- 7.10 Policy Officer: The retail floorspace is not considered to have an adverse impact on the retail frontage. The redevelopment is however likely to benefit the frontage as it could lead to increased occupation of the retail units, providing a complementary service. There is no objection to reconfiguration of the existing retail floorspace as the number of retail units will remain unchanged.
- 7.11 Acoustic Officer: No objection to the proposals, subject to two conditions requiring the submission of a Construction Environmental Management Plan to mitigate the impact of construction on the local area and scheme for sound insulation and noise control measures to protect the amenity of the future occupiers of the building.
- 7.12 Landscape Officer: Supports the amended landscaping plans as these provide a set of design principles for the regeneration of the town square. More information is required through a condition. The developer also needs to provide a tree protection plan to ensure that the construction phase of development would not harm the tree at the rear of the site which is subject to a TPO.
- 7.13 Access Officer: Concerns raised over the provision of accessible units.
- 7.14 Sustainability Officer: No objection, subject to details of SUDS, landscaping and biodiversity measures being secured through conditions.

Energy Officer: General support has been expressed for the energy performance measures which are being sought by the developer the information submitted under the Code for Sustainable Homes and the draft Green Performance Plan is all acceptable. The main outstanding issue is the artificial cooling proposed for the apartments. The applicant provided an analysis showing that none of the apartments would overheat, but this was on the assumption that cooling was installed. Properties would normally be

modelled without cooling installed. This would demonstrate whether or not cooling is required to prevent overheating (it is up to the applicant to demonstrate a requirement), and the strategy would be evaluated further on the basis of the results.

The applicant has given some more comments re thermal mass and blue roofs, and we are generally happy with their approach to the cooling hierarchy.

- 7.15 Design and Conservation Officer: In relation to height increase -The existence of a tall building in the area is undesirable, however it does exist along with other tall buildings and this defines the immediate context. While raising the existing tall building by a further two storeys could be seen as undesirable it would be hard to demonstrate harm to the townscape. Alternatively it could be argued that the increase in height results in a more elegant and slender form especially when considered along with the previous approved façade/public realm improvements. Should approval be recommended we should satisfy ourselves that there will be no worsening of existing wind conditions.

8. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following national planning guidance and development plan documents.

National Guidance

- 8.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals. Since March 2014 Planning Practice Guidance for England has been published online.
- 8.2 Under the Ministerial Statement of 18 December 2014, the government seeks to increase the weight given to SuDS being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).
- 8.3 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via
- Written Ministerial Statement issued 25th March 2015
 - Deregulation Bill (amendments to Building Act 1984) – to enable 'optional requirements'

- Deregulation Bill received Royal Assent 26th March 2015

Development Plan

- 8.4 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Planning Advice Note/Planning Brief

- 8.5 A document entitled 'Regeneration proposals for Archway' was adopted by the Council's Executive on 5 July 2011. These proposals outline the Council's desire to overcome some of the barriers to physical regeneration, strengthen the local economy and improve the vitality of the town centre. Funding allocations for various regeneration projects were agreed within this document.
- 8.6 Archway Development Framework SPD (adopted 2007). The Core Strategy at paragraph 2.2.1 states that this SPD will remain in place after the adoption of the Core Strategy and that the document adds detail to the Core Strategy Site Allocation (CS1). This document includes the following key objectives:
- Delivery of a beacon sustainable development – delivery of a truly sustainable community and thus contribute to environmental, economic and social sustainability.
 - Delivery of a mixed use development to build upon Archway's strengths as a district centre and enhance this role.
 - The improvement of the pedestrian environment to provide a safe environment and improve the pedestrian links through to the adjoining areas.
 - The creation of high quality public spaces to provide an environment where people can visit, shop, relax while providing links to the surrounding areas and uses in Archway;
 - Microclimate – minimise wind impact due to down draught;
 - This document states that priority for planning obligations within Archway will be focussed towards improvements to the public realm and local employment.

Designations

- 8.7 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:
- | | |
|------------------------------------|-----------------------------------|
| - Core Strategy Area – Archway (1) | - Within 100m of TfL Road Network |
| - Archway Town Centre | - Within 100m of Strategic Road |
| - Within 50m of St John's Grove | Network |
| Conservation Area | |

Supplementary Planning Guidance (SPG) / Document (SPD)

- 8.8 The following SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

9. ENVIRONMENTAL IMPACT ASSESSMENT

- 9.1 No EIA screening/ scoping opinion was requested by the applicant. However given that the proposal is for modification to the existing building, a two storey extension to provide residential accommodation and public realm improvements, the proposals are not considered to fall within the definition of Schedule 1 or 2 of defined EIA development. It should be noted that no formal screening opinion has been provided.

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:
- Design, Conservation and Heritage;
 - Land-use;
 - Landscaping and wind micro-climate;
 - Neighbouring amenity;
 - Energy and Sustainability;
 - Planning obligations & CIL.
- 10.2 These matters are addressed below in the context of planning policy and other material considerations.

Design, Conservation and Heritage

- 10.3 Many of the elements within this application have already been granted consent on 19th November 2014 by P2014/3385/FUL. In effect, the most significant changes sought through this current proposal over and above what has already been secured, are an additional two storey extension to the top of the tower to produce an overall height of 15 storeys and a two storey extension to the rear of the building. These elements are analysed in turn below.

Increased height to tower

- 10.4 The previous consent acts as a material consideration in looking at the amended proposal and the proposed increase in height must be seen in the context of these works coming forward in the future as well as in the context of the existing surrounding townscape. Whilst the design changes (the recladding, public realm and ground floor changes) have already been judged to be acceptable by reason of the previous consent, they must now be assessed in conjunction with the increased height to confirm that the resulting visual appearance is acceptable and appropriate. It is also significant to assess the proposal as one which adds height to an already tall tower in an area where other tall buildings already exist, and in the light of relevant policies on tall buildings

- 10.5 A full understanding of a site and its context is necessary to demonstrate compliance with relevant planning policies, including London Plan policy 7.4 which states that development should have regard to the scale, mass and orientation of surrounding buildings, and that buildings should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. London Plan Policy specifically on the location and design of tall and large buildings is seen in Policy 7.7 which requires that tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations. Tall and large buildings should not have an unacceptably harmful impact on their surroundings. It states that in making planning decisions, applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy to meet certain criteria and that this is particularly important if the site is not identified as a location for tall or large buildings in the borough's LDF as is the case with the current application.
- 10.6 Furthermore Policy 7.7 advises at Part C that tall and large buildings should generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport. In that respect, it must be noted that Hill House forms a pivotal site within Archway Town Centre and is set above an Underground station and in close proximity to major bus interchanges associated with the Archway gyratory. It comfortably fulfils the criteria in this case.
- 10.7 Other qualifying criteria within part C are also considered to be relevant i.e. that tall buildings will only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building, relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level; individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London. In that regard, the close proximity of Hamlyn House and Archway Tower to Hill House forms a group of tall buildings that already create an identifiable visual node within the area which is characterised by tall buildings.
- 10.8 At the local level, policy CS9 of Islington's Core Strategy sets out an aim for new buildings to be sympathetic in scale and appearance and to be complementary to local identity. Policy CS 9 Part E states that,
- new buildings and developments need to be based on a human scale and efficiently use the site area, which could mean some high density developments. High densities can be achieved through high quality design without the need for tall buildings. Tall buildings (above 30m high) are generally inappropriate to Islington's predominantly medium to low level character, therefore proposals for new tall buildings will not be supported.*
- 10.9 This is further qualified to emphasise that parts of the Bunhill and Clerkenwell area may contain some sites that could be suitable for tall buildings and these are defined in the Finsbury Local Plan as areas fronting onto both City Road and the canal basin (including the City Road frontage of the City Forum site),

where they form part of a coherent cluster, and relate positively to other existing or proposed buildings within the cluster (for example, in terms of form, bulk, scale, materials and the effect on the skyline). By omission, other areas outside of this definition are not considered as being suitable for tall buildings. Again, this is emphasised by reference to the supporting text at 3.1.5 which precedes CS9 which details that an evidence base assessment had been conducted to determine if there were any suitable locations for tall buildings in Islington. Clearly, the buildings in Archway would have existed at the time of the evidence base and would have informed the conclusion that there are no locations suitable for additional tall buildings outside the south of the borough.

- 10.10 A recent legal challenge to this interpretation was taken to the High court in a challenge to the quashing of a decision to refuse permission to construct a 25 storey building on land at 45 Hornsey Road, Islington, London N7. Ultimately, the judge determined that,

“by making express reference to the possibility of exceptions in the Bunhill and Clerkenwell area, CS9(E) makes it clear that, save in that area, the general rule is to be applied and tall buildings will not be supported”. It is clear that from a policy perspective therefore, that Archway is not one of the areas in Islington where tall buildings are to be supported.

- 10.11 Policy DM2.1 of Islington's Development Management Policies requires development to be based upon an understanding and evaluation of an area's defining characteristics, confirms that acceptable development will be required to respect and respond positively to existing buildings, and sets out a list of elements of a site and its surroundings that must be successfully addressed – this list includes urban form including building heights and massing.
- 10.12 Relevant design guidance must also be noted, particularly Islington's Urban Design Guide which states at section 2.1 that new buildings should create a scale and form of development that is appropriate in relation to the existing built form so that it provides a consistent or coherent setting for the space or street that it defines or encloses, whilst also enhancing and complementing the local identity of an area. Further guidance on height and scale is provided in section 2.2 of the SPD. The Mayor of London's Character and Context SPG notes at paragraph 7.26 that “the key or essential characteristics of a place provide an important reference point against which change can be assessed or as a ‘hook’ for site planning and design”. Paragraph 1.2 of CABE/English Heritage's Guidance on Tall Buildings notes that in many cases, one of the principal failings of tall buildings has been that many were designed with a lack of appreciation or understanding of the context in which they were to sit, and paragraph 4.1.1 of the guidance highlights the importance of taking into account context, including surrounding scale, height, urban grain, streetscape and built form. Paragraph 4.4 of the guidance states that to be acceptable, any new tall building should be in an appropriate location, and should enhance the qualities of its immediate location and wider setting.
- 10.13 The Archway Development Framework SPD (2007) is also seen as relevant, policy CS1 referencing its ongoing significance. The SPD seeks to secure sustainable development (environmental, economic and social sustainability), to secure improvements to the pedestrian environment to provide a safe and

secure environment and also seeks to create high quality public spaces to provide an environment where people can visit, shop and relax while providing links to the surrounding areas and uses in Archway.

- 10.14 As a result of the extension in height, the tower would appear as a 50m building (15 storeys) when measured from lower ground entrance level. It is already defined as being a “tall building” as the existing structure is in excess of 30m and using the interpretation of CS9, there are few areas in Islington where tall buildings are considered appropriate – these are limited to areas around the City road basin and in the south of the borough.
- 10.15 However, it is also important to note the context of the surroundings. The application has been accompanied by a Townscape and Visual Impact Assessment prepared by Peter Stewart consultancy which includes some of the contextual analysis necessary. It recognises that the application site is at a major highway junction—Archway Gyratory- linking Holloway road, Archway Road, Highgate Hill and Junction road and these transport networks, coupled with the position of the Underground station at Archway, give the area a busy urban feel.
- 10.16 The pattern of development in the immediate area is mixed in appearance as would be expected of an area that had developed and changed over time and few of the existing 19th and 20th Century buildings are of any significant quality. The application site sits close to the junction of Junction Road and Holloway Road both of which are characterised by three storey buildings with commercial ground floor frontages. There are also several large post war housing estates in the vicinity; the Miranda and Grovedale estate to the north-east and Girdlestone and Hargrave Park Estates to the east and south-west which range from 2 to 6 storeys in height.
- 10.17 In terms of heritage assets, there are none within the site although St Johns Grove Conservation Area, Whitehall Park Conservation Area, Highgate Hill/Hornsey Lane Conservation Area and Holborn Union Conservation Area all lie within the wider area.
- 10.18 The application site sits in the middle of a block that is dominated by post war development. It is one of three key buildings of significant bulk and mass in the block. To the north-east is Archway Tower, constructed in 1974. It is formed of 3 rectangular slab elements with the central slab extending to 17 storeys in height. Permission exists for the conversion of the tower to residential and for its recladding and this work is in progress. Hamlyn House stands at 9 storeys and has recently been converted and reclad to provide hotel accommodation. Whilst there is a finer grain street pattern evident in the surrounding area, the immediate context, as defined by these buildings is accepted as high-rise and the comparative additional bulk of the proposed extension must be seen in relation to these surroundings.
- 10.19 The proposal will contrast with the height of some of the buildings close by but this would not appear to jar or be unexpected and would not be at odds with the scale and massing of the other buildings and area more widely. The existing building hierarchy, which places Archway Tower as being the dominant building in terms of building height, would not be altered as Hill

House would still be shorter in relation to it. A number of views have been assessed within the Townscape and Visual Assessment; the prominence of Archway Tower is seen in View 1 (Junction Road, near junction with Vorley Road). In comparison with the existing arrangement which has a squat and heavy top, the proposed extension and recladding will allow a more slender profile and a better defined tower top which will not compete with the consented changes to Archway Tower.



Figure 6. View of proposed building from Junction Road with consented scheme for Archway Tower to right

In longer views, from Dartmouth Park and from Parliament Hill, the relative increase in height between Archway Tower and Hill House is better appreciated (Hamlyn House at 9 storeys, is not visible from these views). Whilst Hill House is increased in height, it does not eclipse Archway Tower and its associated recladding will make it appear as a lighter building. It would therefore not appear as discordant and would not be seen in isolation of all other tall or large scale buildings but will sit within a small grouping of large and tall buildings. The scale will not be at odds with the character of the surroundings.

- 10.20 View 3 (as shown below) is taken from the east side of Junction Road and demonstrates the impact of the increased height on the appearance of the tower as it meets the ground. This is the main frontage of the building and forms the backdrop for Archway Mall and Archway Square and so is an important focus for the success of the town centre. The Tower currently sits on a 4 storey podium set behind a single storey retail plinth and the deteriorating condition of the building contributes to the run down nature of the precinct. The additional two storey extension, coupled with a simplified base to the tower, will create a more defined perception of the building as a tower and will produce a more slender proportioned building viewed as being distinct from the podium.



Figure 7. View of existing from Junction Road



Figure 8; View of proposal from Junction Road

- 10.21 In summary, the proposed tall building provides an appropriate design and relationship with the wider townscape. Whilst the design proposes a form of building that is considerably taller than many of its immediate neighbours, the increase in height from 42 to 49.5m is not considered to be excessive, and does not disrupt the hierarchy of the existing tall buildings of which it is already part. The fact that it is already a tall building of more than 30m surrounded by other tall buildings of greater height mean that it would have formed part of the evidence base which informed the tall building policy in CS9. It is not considered that the proposal would run counter to the general

requirement of this policy to restrict tall buildings except in certain areas and the additional height created is seen in conjunction with the other elevation changes which improve the appearance of the building and generally enhance the area. The site and its setting in a town centre with excellent transport links and in a prominent and established cluster of tall buildings mean that it is able to accommodate the scale of the building proposed without any unsatisfactory impacts on immediately neighbouring sites and without harm or detrimental impact on the significance of any designated or nondesignated heritage assets.

Sunlight and daylight

10.22 The extension of the tower will also have an impact on the amenity of neighbouring buildings, particularly in terms of overshadowing and overlooking. The application has been submitted with a sunlight and daylight assessment. The assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to Policy DM2.1 identifies that the BRE 'provides guidance on sunlight layout planning to achieve good sun lighting and day lighting'.

10.23 Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight);

The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value.

10.24 It should be noted that whilst the BRE guidelines suggest a 20% reduction in NSL would represent an acceptable loss of daylight within a room, it is commonly held that losses in excess of 50% NSL are not acceptable.

10.25 Sunlight: the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:

In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period.

10.26 In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.

- 10.27 Where these guidelines are exceeded then sunlighting and/or daylighting may be adversely affected. The BRE Guidelines provide numerical guidelines, the document though emphasizes that advice given is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.

Analysis of Sunlight and Daylight Losses for Affected Properties

- 10.28 A Sunlight and Daylight Report' prepared by Anstey Horne & Co. was submitted as part of the application. Residential dwellings within the following properties have been considered for the purposes of sunlight and daylight impacts as a result of the proposed development:
- 21 Junction road
 - 24-26 Junction Road
 - Archway Tavern, 1 Archway close
 - Archway Tower
- 10.29 21 Junction Road 21 Junction Road is located to the east of the proposed redevelopment, on the other side of Junction Road. Four windows serving four rooms at first and second floor level were tested. The VSC and daylight distribution results show that all windows and rooms tested were fully compliant with the BRE guidelines.
- 10.30 24-26 Junction Road: These properties are located to the east of the development site, with rear elevations that contain a number of windows facing towards the development site. Eight windows serving eight rooms on the first and second floor level were tested and the VSC and daylight distribution results show all windows and rooms tested for daylight fully adhere to the BRE guidelines.
- 10.31 Archway Tavern, Archway Close This property is located to the north of the development site, with commercial use at the ground floor level and assumed residential use at the first floor level and above so therefore testing was only carried out to the upper floors amounting to 15 windows serving 9 rooms on the first, second and third floor level. The VSC and daylight distribution results show all windows and rooms tested for daylight fully adhere to the BRE guidelines.
- 10.32 Archway Tower. This property is not currently in residential use but is under construction to implement the residential conversion. Therefore the future residential accommodation has been assessed from the planning application information. 436 windows serving rooms 130 rooms on the first to the fifteenth floor level have been tested. The VSC and daylight distribution results show that all windows and rooms tested for daylight fully adhere to the BRE guidelines.
- 10.33 In conclusion, the proposed additional massing on top of the Hill House tower will have only limited impact upon either daylight or sunlight enjoyed by neighbouring residential buildings, with any marginal losses being acceptable within BRE guidance.

Overshadowing

- 10.34 The impact of proposed developments on sunlight to open spaces between buildings, (such as main back gardens of houses, parks and playing fields, children's playgrounds, sitting-out areas, such as in public squares and focal points for views) is dealt with in the BRE guidelines. It recommends that the level of overshadowing on such areas should be checked on the equinox (21 March and that at least half of the amenity area should receive at least two hours of sunlight on the equinox on 21 March.
- 10.35 When assessing the impact of a proposed development on the level of overshadowing of an existing open amenity, the BRE guide recommends that *"if, as a result of new development the area which can receive two hours of direct sunlight on 21 March is reduced to less than 0.8 times its former size, this further loss of sunlight is significant. The garden or amenity area will tend to look more heavily overshadowed"*.
- 10.36 The applicants have undertaken an overshadowing assessment to the public amenity area located directly to the east of the redevelopment site (Archway Square). This has shown that 85% of the area will obtain at least 2hrs of direct sunlight in the proposed condition and that the proposed height increase to Hill House will not alter this percentage. The incremental increase to the tower of two additional floors will therefore have little discernible impact on the overshadowing of the square and the quality of the space is not considered to be compromised to such an extent that it over-rides the benefits created by the general refurbishment and new landscaping. The square is surrounded by Archway Tower to the north and Hill House and to a lesser extent, Hamlyn House to the west, so it is already impacted by the presence of tall buildings and any additional shadow being cast by the proposal will be noticed much further away.

Two storey rear extension

- 10.37 A two storey infill extension is proposed to the rear of the building to provide cycle storage at ground floor and refuse provision on lower ground (entrance) floor. The extension would partly infill an existing undercroft area at the base of the tower and underneath a raised walkway which provides a secondary entrance. The extensions would not project any further forward of the existing building line so the proportions of the tower would not alter as result of this addition. It is proposed that the extensions be clad in an anodized aluminium system which is considered to be an appropriate material. Further details of the materials are to be required by condition 5.

Design details

- 10.38 In relation to the tower, one of the main functions of the re-cladding has been to make it appear more slender and elegant by reinforcing the vertical banding of the façade. The components of re-cladding include clear and opaque glazed curtain walling with anodised aluminium panels, flush sliding glazed doors and concealed balustrades. This gives a highly glazed, reflective façade which is complementary to the surrounding tall buildings and does not seek to compete with them when viewed as a group on the skyline.

- 10.39 In terms of the plinth, this will have a light bricked exterior with clear glazing. The balconies and anodised aluminium panels will resemble the appearance of those on the main tower. The addition of balconies in between the bays on the front elevation is intended to add a new definition to the plinth. These balconies would be set back from the bricked bays.
- 10.40 The new double height glazed residential entrance into the building off Archway Town Square has been developed in direct response to the DRP's comments so that it provides a better hierarchy to the existing cramped access conditions. Furthermore, the visual prominence of the entrance will provide wider benefits for Archway Town Square by ensuring a much needed increase in footfall into the heart of the site as opposed to the residential entrance approved under Prior Approval consent which was positioned at the rear of building.
- 10.41 The proposed front extension to the existing ground floor retail units will bring the shopfront forward to the edge of the existing overhang. It is felt that this would have a positive appearance on the overall frontage as the current shopfronts appear dark unwelcoming to shoppers – this could have been a contributing factor to the long term vacancy of many of these units. The elevational plans of the shopfront provide a useful indication of their appearance, however to ensure that they have full regard to the final design of the upper floors of the building it is recommended that further details are secured through a condition (12).
- 10.42 The proposed L shaped canopy under Archway Tower would be 4m high, 28m in length and over 50% solid (as recommended by the wind study) with a slatted design. The design and access statement provides some useful information on the type of canopies that are envisaged whilst not specifying the exact materials. The canopy is expected to offer visual interest to unpleasant area of the site. Details of the canopy would be secured through a condition (13).
- 10.43 In summary, the council's design and conservation officer and DRP are supportive of the proposals and how they have been developed through the pre-application as they will represent a substantial enhancement on the existing building and wider area. The proposals are also considered to have a positive impact on the adjoining conservation areas and full regard to the emerging design of the Hamlyn House and Archway Tower. The success of the scheme is however dependent on the quality of the materials and detailing. Consequently the retention of the architects (to avoid a design and build exercise) is considered to be justified; this is secured through the S106 legal agreement.

Land-use

- 10.44 The site is located within Archway key area within the Core Strategy, and policy CS1 'Archway' is relevant. CS1A seeks to maintain Junction Road (and Holloway Road) as the 'high street' to accommodate an overall expansion in retail provision. Part B encourages the redevelopment of underused land to meet the borough housing target, and part C supports the redevelopment of the core site, as defined in the Site Allocations and

including the application site; a residential (non-student) element is expected as part of the regeneration of the tower and adjacent buildings leading to a mixed-use site that retains a significant proportion of office space.

- 10.45 The Site Allocations (2013) identifies the Archway Core Site (ARCH1) and it is allocated to secure mixed use development to this core site to include: *'residential, retail, employment (including business use), hotel and appropriate evening economy uses (such as A3 restaurant use, and D2 assembly and leisure e.g. cinemas) that respect the amenity of nearby residential properties'*.
- 10.46 As set out in the planning history section above, the building has been subject to a recent Prior Approval application for a change of use of floors 1-4 and 6-12 of the building to residential use (C3) use class creating up to 150 residential units. It is understood that this consent has been implemented as some of the floors have been converted into residential dwellings which are occupied. The creation of new residential dwellings on these floors is therefore not a consideration of this planning application.
- 10.47 The provision of 9 residential units in the newly created extended part of the tower however must be considered. Islington's Core Strategy Policy CS12 states how Islington will meet its housing challenge to provide more high quality, inclusive and affordable homes and encourages the supply of new homes. Furthermore the application site sits within Archway Town Centre and within the core site as defined in the Site Allocations where CS1 expected a residential element as part of the regeneration of the tower and adjacent buildings and retaining a significant proportion of office space. It must be noted that this policy was drawn up before the introduction of the prior approval legislation in 2013 which allowed for the conversion of office to residential as permitted development and thus it was foreseen that the retention of the office space as contained in Hill House, Hamlyn House and Archway Tower could be controlled. However, the proposed introduction of residential uses at the site is nevertheless still supported by policy.
- 10.48 Part E of policy CS12 of the Islington Core Strategy requires a range of unit sizes within each housing proposal to meet the needs in the borough, including maximising the proportion of family accommodation in both affordable and market housing. In the consideration of housing mix, regard has to be given to the constraints and locality of the site and the characteristics of the development as identified in policy DM3.1 of the Development Management Policies. The scheme proposes a total of 9 residential units with an overall mix as set out below.

Dwelling Type	No. of units / %	Policy DM3.1 Target Mix	GIA range (exc. Amenity) sq.m
One Bedroom	1 / 11%	10%	50.5
Two Bedroom	7 / 77%	75%	83-87
Three Bedroom	1 / 11%	15%	101
TOTAL	9	100%	

Quality of accommodation

- 10.49 Islington Core Strategy policy CS12 identifies that to help achieve a good quality of life, the residential space and design standards will be significantly increased from their current levels. The Islington Development Management Policies DM3.4 sets out the detail of these housing standards.
- 10.50 Unit Sizes: All of the proposed residential units comply with the minimum unit sizes as expressed within this policy. (see table above).
- 10.51 Aspect: Policy DM3.4 part D sets out that 'new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated'. By creating duplex units, the units achieve dual aspect by looking into the winter garden amenity areas at thirteenth floor.
- 10.52 Amenity Space: Policy DM3.5 of the Development Management Policies identifies that 'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens'. The minimum requirement for private outdoor space is 5 square metres on upper floors and 15 square metres on ground floor for 1-2 person dwellings. For each additional occupant, an extra 1 square metre is required on upper floors and 5 square metres on ground floor level with a minimum of 30 square metres for family housing (defined as 3 bed units and above). The policy acknowledges that the provision of individual private outdoor space can be challenging on some sites and that well maintained communal space can provide a workable solution where it would not be practical to provide individual areas. Private amenity areas are provided to each of the flats in the form of winter gardens and private roof terraces accessed from within each of the flats. In addition, there are communal roof terraces located to the top of each podium area.

Affordable Housing

- 10.53 Policy 3.13 of The London Plan states that boroughs should normally require affordable housing provision on a site which has the capacity to provide 10 or more units, although boroughs are encouraged to seek a lower threshold through the LDF process where this can be justified. CS12 of the Local Plan

states that sites capable of delivering 10 or more units will be required to provide affordable units on-site, with schemes below this threshold required to provide a financial contribution towards provision elsewhere in the borough.

10.54 The Council's 'Affordable Housing Small Sites Contributions' SPD (2012) provides further detail on the application on this policy and states that developments (in this location) resulting in the creation of less than 10 units are required to provide a commuted sum of £50,000 per unit. The current application relates solely to the existing Hill House building and the capacity of the development is constrained by the physical (structural) ability to extend the existing building. It is anticipated that the wider site masterplan will deliver on-site affordable housing; however, the current application represents the maximum number of units that can be achieved by extending the building. Accordingly, in accordance with the Council's small sites policy, the applicant has submitted a draft planning obligation in support of the application to secure a financial contribution of £450,000 towards the delivery of off-site affordable housing.

Retail use

10.55 There are two main issues from a policy perspective; the loss of existing retail floorspace and the reconfiguration of the existing units. This loss has been analysed as part of the previous application P2014/3385 and accepted as appropriate within the context of that proposal. This acts a material consideration which must be balanced against the other constraints and benefits of the proposal in the final analysis.

10.56 When combined with the proposed new shopfronts(which will result in a small front extension to the existing layout) there would be a net loss of 150sqm of retail floorspace to ancillary residential floorspace to create a new entrance for the upper floor residential units. Applications involving the loss of main town centre uses to other uses (particularly residential use) trigger the stipulations of DMP policy DM4.4. However, given the circumstances of this application – i.e. the actual residential units are permitted through a separate application – means that DM4.4 Part D(iii) will not apply.

10.57 DM4.4 Part D(i) requires two years marketing and vacancy evidence to demonstrate that there is no reasonable prospect of the unit being used in its current use in the foreseeable future. The small size of the proposed loss (both in absolute terms and proportionally) does in part alleviate concerns, although it is by no means de minimis and could potentially accommodate a small retail unit in its own right; therefore, this requirement does technically apply. However, there are wholly exceptional circumstances related to this application which are considered to alleviate concerns over a lack of marketing and vacancy evidence, these are set out below:

- At the request of officers the applicant provided information on the historic use and occupancy levels of the eight retail units within the Mall. The table below sets out the recent history of the units.

UNIT NUMBER	CURRENT CONDITION	HISTORY
2-3 Archway Mall	Was being used on a temporary basis as a 'community hub' for consultation events as part of the on-going Masterplan process. Now occupied by Corks and Forks as a café/delicatessen	Before the current temporary use the unit was last occupied by "FADS" (DIY / Home Decorating). FADS vacated the building in approx. 2007 since which time the units has remained vacant.
Unit 4-5 Archway Mall	Vacant	This unit was recently occupied by "William Hill" Bookmakers until they vacated the site in the summer of 2014.
Unit 6-7 Archway Mall	Vacant	This unit was occupied by "Freshway" (mini) Supermarket who vacated the unit in approx. 2012
Unit 8 A Archway Mall	Vacant	This unit was occupied "Green Ink Bookshop" who vacated the unit pre-2006.
Unit 8B Archway Mall	Vacant	This unit was occupied by "Hamburger House" café who vacated the unit pre-2006.
Unit 9 Archway Mall	Vacant	This units was occupied by "Suchis Card Shop" who vacated the unit pre-2006
Unit 10A	Occupied	Currently occupied by "The Mall" cheque cashing and pay-day loan company.
Unit 10b Archway Mall	Occupied	Currently occupied by "Redmond Plumbing Services" as a trade counter / office.

- The table shows that five out of the eight units have been vacant for over 2 years, with three units of these units being vacant for over 8 years. This clearly demonstrates that there is a long-term history of vacancy and lack of demand for units within the Town Centre. Furthermore, the Archway Development Framework SPD (September 2007) states that "*the Archway district centre includes the existing retail units in Archway mall (the majority of which are vacant)*". This also suggests that the high levels of vacancy have been entrenched in the shopping mall for at least the last 7 years.
- The public realm around Archway Mall and the Tower site is in need of improvement, as identified in the Site Allocation and the Archway Development Framework SPD. It is considered that the existing low quality public realm has been a contributory factor to the high levels of vacancy.

Officers agree with the supporting information that the proposals are, on balance, positive in terms of increasing attractiveness to retailers and improving footfall, especially when considered in the context of the next stage of the proposed development regarding public realm changes.

- The small 2.5m extension to the existing shopfronts demonstrates that the proposals have some regard to the loss of retail floorspace and that measures have been made to maximise the amount of retail floorspace, rather than just leaving the existing building as is.
- The proposal is consistent with site allocation ARCH1 in land use terms as it provides improved ground floor retail frontages.

10.58 DM4.4 Part D(ii) requires the use of the ground floor retail unit for residential purposes to be consistent with the role and function of the street or space. The proposed change of use is for ancillary residential space providing access to upper floor residential use; therefore it is considered that the impact will be minimal in practice.

10.59 Archway Mall is not a designated frontage, but it is considered contiguous with the primary frontage starting at 2-10 Junction Road. DM4.4 Part D(iv) states that proposals for change of use should not cause adverse impacts on any sections of undesignated frontage - in this case Archway Mall - that are contiguous with designated primary and secondary frontages. The loss of 150sqm retail floorspace is not considered to cause adverse impacts on contiguous frontages; in fact, the redevelopment is more likely to benefit contiguous frontages as it is likely result in increased occupation of the retail units which could provide complementary services. There is a balance to be struck between retaining 100% of the floorspace in poor quality or 85% of accommodation of a regenerated building and square with high prospects of occupation.

10.60 In terms of the proposed reconfiguration and extension of the ground floor retail units, this would not result in reduction the total number of units within Archway Mall. The council are in discussions with the applicant in terms of a wider retail strategy for the site and it therefore appropriate that a condition (6) is appended to this decision which restricts the amalgamation of the existing retail units until this has been approved by the council.

Landscaping, pedestrian access and wind mitigation measures

10.61 The application proposes a package of landscaping measures for Archway Town Square which would enable the scheme to be implemented on a stand-alone basis, outside of the plans which are emerging for the wider masterplan for the site. This is considered important as the local transport network could be subject to some significant changes in the future with the proposed removal of Archway gyratory.

10.62 In response to the DRP's comments the council have engaged with the applicant's landscape consultants, Gross Max, to establish a set of landscaping principles for the site. The proposals now include:

- Planting in the form of 3 individual trees (bald cypress, 8-12m in height) and espalier tree planting (7 trees);
- Natural stone paving (small and large);
- Natural stone banding with raised seating;
- Catenary lighting;
- Green wall;
- Wind canopies
- Kiosk
- Seating areas
- Permeable paving

10.63 The plan below illustrates the landscaping proposals:

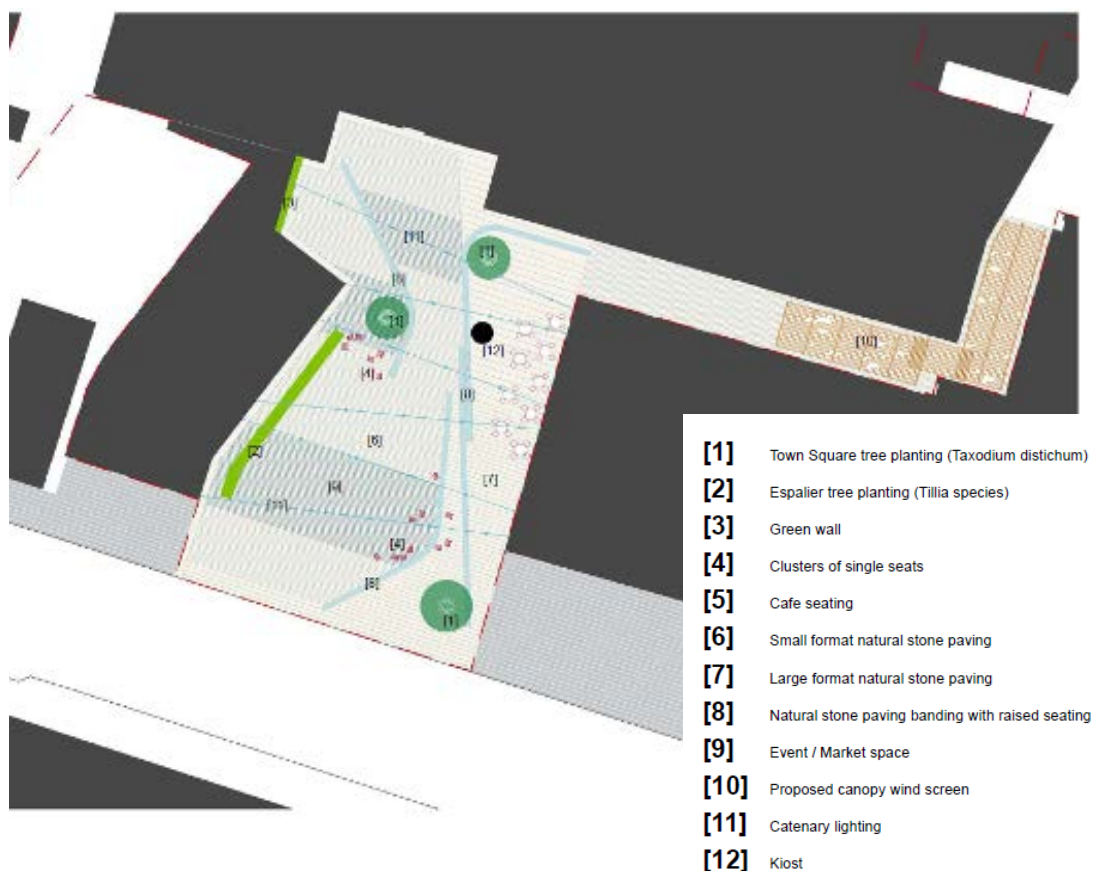


Figure 9: Proposed landscaping of Archway Town square

10.64 Officers accept that the general principles provide an appropriate basis for securing significant improvements in the quality of the public realm and further information is required through condition 3.

10.65 Concerns have been raised by local residents and BAF in respect of access/pedestrian movement and public safety. Officers are however of the view that the proposals will improve the existing situation by providing better lighting as part of the landscaping proposals. Furthermore, the residential entrance off Archway Square and inset balconies on the front façade of the plinth overlooking the square offers significant improvements on the level of public surveillance with the site.

- 10.66 To the rear (north) of Hill House, within the site boundary, is a large maple tree which is protected by TPO T2 (No. 439). The submission is accompanied by a generic statement on tree protection which does not include a specific plan outlining where the tree and ground protection will be situated. However, as the tree is located at the rear of the site and most of the works, both landscaping and extensions/alterations, are taking place at the front of the site it is considered acceptable for an arboricultural method statement (AMS) to be secured through condition 4.

Wind Study.

- 10.67 The site is widely recognised as having a wind micro-climate, which has been subject to a great deal of assessment under previous applications, namely, the application for the re-cladding of Archway Tower. As part of the previous application, BRE were commissioned to undertake a wind tunnel study to assess the pedestrian level wind microclimate resulting from the proposed redevelopment of Hill House and in particular to consider measures to improve the wind microclimate around the existing site and wider pedestrian environment. To support this current proposal, BRE have assessed the impact on the wind microclimate of adding two additional stories to the Hill House tower.
- 10.68 The study is based on a 1:1250 scale model of the site and surroundings which was tested in a wind tunnel. Measurements were taken in 162 locations around the site. The study found that proposed recladding of Hill House and the extensions/alterations at ground floor would have little impact on the existing situation. The wind conditions below Archway Tower will still remain unsuitable for strolling and leisure walking during the winter seasons, which is caused by strong downwash as result of the height and width of the tower, especially when the wind was blowing on to the wide facades (north-south winds). All locations around Hill House will be suitable for strolling and leisure walking throughout the year and it is expected that the wind microclimate will be suitable for the intended pedestrian activities at all locations.
- 10.69 In relation to the additional storey height, wind speed increases with height so it would be expected that the proposed increase in height will generate slightly windier conditions at ground level. The study found that the proposed change to the scheme would be likely to marginally increase the pedestrian level wind speeds around the building, however, this increase in wind speed is not sufficient to cause any change in the assessment of the wind microclimate. The addition of two additional stories to the Hill House tower is judged to have negligible impact on the pedestrian level wind microclimate. Wind conditions around the revised Hill House are therefore expected to be suitable for pedestrian activities throughout the year.
- 10.70 The study concluded that an L-shaped canopy of either solid or up to about 50% porosity attached to Hill House and extending part way along Archway Mall would significantly improve the wind conditions in the passageway beneath the tower and in the area to the west of the tower. An L shaped canopy will provide the best shelter and will completely eliminate the unpleasant wind conditions beneath Archway Tower. Officers are therefore supportive of the measures proposed as they offer significant improvements

to the existing conditions which have blighted pedestrian movement though this area of the site by addressing unpleasant wind conditions beneath the Archway Tower.

Sustainability, Energy Efficiency and Renewable Energy

- 10.71 The London Plan (2015) Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through energy efficient design, the use of less energy and the incorporation of renewable energy. London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 10.72 All development is required to demonstrate that it has minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation (CS10). Council policy requires onsite total CO₂ reduction targets (regulated and unregulated) against Building Regulations 2010 of 40% where connection to a decentralised energy network is possible, and 30% where not possible. These targets have been adjusted for Building Regulations 2013 to of 39% where connection to a decentralised energy network is possible, and 27% where not possible. Typically all remaining CO₂ emissions should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock (CS10).
- 10.73 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements.
- 10.74 For minor developments, a target of 25% reduction on regulated emissions vs. building regulations is specified. All of the residential units comfortably achieve this requirement. The proposal is not classed as a major development however it has been designed to achieve compliance with the more onerous standards that major developments should attain. The applicant proposes a reduction in emissions of 44% compared to a 2010 Building Regulations baseline. These savings are supported and secured by **condition 8**.
- 10.75 Be Lean: The proposed scheme involves a replacement façade to the existing building which is extended to the new floors. The new facades will have low air leakage, low U-value and G-value and large natural ventilation openings. The glazing specification will significantly improve the thermal performance of the building envelope as well as allow for residents to use natural ventilation to mitigate overheating risk in the future climate.
- 10.76 Be Clean (Heating and Hot Water Systems and CHP): The newly created 9 flats will share the same heating strategy with the flats below which are being

converted from office to residential under Permitted development. A 70kW_e (109kW_{th}) Combined Heating and Power Plant is proposed which will deliver both base heating and hot water demand and electricity demand to the entire development, including both existing and new extensions. This will ensure the engine of CHP can run for as long as possible (around 17 hours / day).

Thermal stores have also been employed to capture heat during late afternoon and late night when hot water demand is low. The energy model indicates that by employing community CHP to the scheme the development can achieve a reduction of 29% in CO₂ emissions. The applicants discussed with the Council the possibility of involving Hill House into the wide development of Archway District Heating Scheme. The Council has two options; an upgraded energy centre at Archway Leisure Centre to serve a shared heat/power network to supply Hill House and other buildings or a new energy centre in the proximity of Archway Leisure Centre to serve a shared heat/power network to supply Hill House and other buildings. However, funding is awaited to conduct a more detailed feasibility study which will not fit into the timescales of this current project. The applicants have therefore agreed to future-proofing Hill House for connection to a future district heating network by allocating space on lower ground floor plate heat exchangers. This is secured through the S106 agreement.

10.77 Be Green (Renewable Energy): the proposal makes provision to include a solar PV system of 30sqm arranged on the communal roof terrace and this is supported.

10.78 Overheating and Cooling: The façade enhancement will include solar control glazing (which lets in a high proportion of daylight but cuts out a significant proportion of the sunlight) to reduce the overall cooling load required for each flat. In addition, the building is to be constructed with a well-insulated and air tight building envelope. Such measures minimise unwanted heat gain. Natural ventilation will be integrated into the curtain walling via openable windows and sliding doors to provide sufficient openings to dissipate unwanted heat gain, perforated louvres as part of façade upgrade will allow secure and effective night ventilation and ☐ proposed windows on both sides for corner rooms will provide cross ventilation. The overheating analysis suggests that artificial cooling will only be required on peak future climate summer conditions and only for the units identified as worst case. (e.g. having both south and west orientated windows). Properties would normally be modelled without cooling installed. This would demonstrate whether or not cooling is actually required to prevent overheating (it is up to the applicant to demonstrate a requirement), and the strategy would be evaluated further on the basis of the results. In order to address this condition (21) is attached requesting a further energy statement to look at the feasibility of an alternative which does not rely on artificial cooling.

10.79 CO₂ Off-setting: As the proposed new extension to create 9no. duplex flats is categorised as a minor development, a flat rate charge of £1,000 per flat applies which indicates that a total carbon levy of £9,000 will be required to offset the remaining carbon emission from the development. This is secured through the S106 legal agreement.

10.80 Sustainability BREEAM: The proposed new extension has been assessed against the CfSH 2014. Whilst the CfSH assessment has recently been withdrawn it is still relevant and a good sustainability parameter. A pre-assessment has been carried out based on the submitted drawings and it is predicted that the design for the new extensions will achieve CfSH Level 4 standard. This is supported.

10.81 Sustainable Urban Drainage (SUDs):

The proposal retains the main structure of the existing building which presents some restrictions in what can be achieved via SUDs for this site. Policy (DM6.6) seeks that minor new build developments of one unit or more are required to reduce existing run-off levels as far as possible, and as a minimum maintain existing run-off levels, including through the incorporation of SUDS. Therefore the post development surface run-off rates should be reduced so that they do not exceed the pre-development rates, and also to reduce the risk of flooding to areas within and in the vicinity of the site, and to minimise the impact on the existing sewer network. In order to satisfy this requirement the applicants proposes that the roofdrainage will have a syphonic and Blu-Roof system, which will control the rate of the surface water discharge and also provide adequate attenuation. It is suggested that Blu-Roof system is to be applied across the entire roof area of 500m².

10.82 Given the sites location above the London underground network there are constraints to the type and volume of surface water attenuation that can be achieved through the wider landscaping of the plan. The landscaping plans include some areas of permeable paving which is supported. No indicative drainage plan (SUDS management train) showing flow paths, and how the different SUDS components link together have been submitted. Given the space available, additional SUDS measures should be explored that provide both amenity and biodiversity improvement, matters which officers consider can be dealt with through a condition. In this regard, a planning condition is recommended to be agreed in writing prior to commencement of any works on the site, (condition 10). In the event SUDs on site proves unfeasible, an in lieu financial contribution is sought by the policy – this is worded into the condition. Without this provision, the scheme would be unacceptable and fail to comply with planning policies CS10 (Core Strategy 2011) and DM6.6 'Flood prevention' of the Development Management Policies (2013), nor the Environmental Design SPD.

10.83 Green Performance Plan: is a plan that seeks to detail measurable outputs for the occupied building, particularly for energy consumption, CO2 emissions and water use and should set out arrangements for monitoring the progress of the plan over the first years of occupancy. The submitted plan is acceptable and its ongoing monitoring is secured as part of the s106 agreement.

Highways and Transportation

10.84 The site has a Public Transport Accessibility Level (PTAL) rating of 6b which TfL describe as 'Excellent'. It is located south-west of the Archway gyratory

and sits immediately above and adjacent to the Archway Underground station. The site is located within a Controlled Parking Zone (CPZ) which operates Monday to Friday 0830 – 1830.

- 10.85 Holloway Road is a red route thereby prohibiting waiting, loading and parking. Junction Road has extensive bus stops close to the site which prohibit waiting at any time. Other lengths of Junction Road have single yellow lines denoting no waiting during the operational hours of the controlled parking zone. MacDonald Road has permit holder and pay-and-display parking bays. The pay-and-display bays allow a maximum stay of two hours. All roads surrounding the site are covered by traffic regulation orders associated with parking bays, single yellow lines, double yellow lines, or red routes.
- 10.86 The application is supported by a transport assessment which has demonstrated that the additional 9 residential units will generate a total of 112 daily trips. However, this must be balanced against the overall conversion of the building from office to residential which has already been secured. The transport assessment demonstrates that the impact of the generated trips will be absorbed by the overall reduction in trips that will result in the conversion from the office use.
- 10.87 The application as submitted proposed that the development would have 5 parking spaces with 1 space being wheelchair accessible and 1 equipped with an electric charging point. Islington Core Strategy (CS10) requires that all new residential development is car free meaning no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people. This is further emphasised in the Development Management Policies (DM8.5) which states that proposals for vehicle parking for existing residential properties will be refused and that no provision for vehicle parking or waiting will be allowed for new homes, except for essential drop-off and wheelchair-accessible parking. This is unequivocal advice which is consistently applied throughout all Islington schemes where planning permission is required. It is not considered that there are mitigating circumstances in this instance that justify the setting aside of this policy. The applicant has therefore agreed that these spaces be removed from the proposal and a condition requiring this is attached as Condition 20.
- 10.88 Residential occupiers of the new units would not be eligible to attain on-street car parking permits for the surrounding Controlled Parking Zone (CPZ) in the interests of promoting the use of more sustainable forms of transport and tackling congestion and overburdened parking infrastructure, this is secured in the S106 legal agreement. The exceptions to this would be where, in accordance with Council parking policy, future persons occupying the residential development are currently living in residential properties within Islington prior to moving into the development and they have previously held a permit for a period of 12 months consecutive to the date of occupation of the new unit. These residents are able to transfer their existing permits to their new homes. Residents who are 'blue badge' (disabled parking permit) will also be able to park in the CPZ.

- 10.89 Cycle Parking: the proposal generates a policy requirement to provide 1 cycle parking space per residential unit. As the proposal is for an additional 9 residential units this would only generate a requirement of 9 spaces however, taking into account the 150 units created by P2014/1161/PRA the applicants have incorporated the requirement to provide cycle spaces for the total development within this application. The proposal is therefore for 164 additional cycle parking spaces to be located in cycle parking racks at upper ground floor accessed directly from the raised walkway off Highgate Hill. A condition is attached to secure this (condition 16).
- 10.90 Refuse collections: A refuse drop off point will be located for residents outside the main lifts on lower ground floor. The communal refuse store is positioned under the undercroft of the cycle store above where it can be accessed for collection from MacDonald Road servicing entrance. The refuse arrangements are necessary to service the residential units created as a result of both this proposal and of the units created through the prior approval application. The arrangement is secured by condition 18.
- 10.91 Framework Travel Plan: This document was submitted with the application and seeks to influence sustainable forms of travel of staff before habits are formed. The report identifies public transport opportunities and confirms the scheme as car free. The statement identifies a Travel Plan coordinator, sets out the information that will be made available to staff when they are employed at the site. This document is secured as a living document as part of the s106 agreement and will require the submission of reviews at various stages after first occupation of the development.
- 10.92 Construction Management Plan: The applicant has submitted an Outline Construction Management Plan for the development. Given the status of the project, appointment of some of the construction team is yet to be made however it sets out the strategic approach of the project based on good construction practices. There is vehicle access to the rear of the plot, off of McDonald Road directly into the Hill House surface car park which will be used as the construction compound and for the loading and unloading of deliveries. Work is confirmed to be carried out in accordance with Islington working hours for noisy works and to adhere to the Code of Construction Practice Guidance. However further detail is required and this would be secured by condition 14.
- 10.93 Damage to the highway during construction: To ensure that any damage caused to footways and the highway during construction would be required to be rectified at the cost of the developer, conditions surveys recording the state of the highways and footways surrounding the site would be carried out prior to works commencing to form a baseline. These measures are agreed by the applicant and would be secured by a legal agreement.

Neighbouring amenity

- 10.94 The development would not result in the creation of extensions which would have an adverse impact upon the living conditions of future occupiers of the

application building or Archway Tower in terms of a loss of outlook or increase sense of enclosure.

- 10.95 The re-cladding of the building's façade includes the provision of balconies on the front (east) and rear (west) elevations on the plinth (1st – 3rd Floors) of Hill House. The proposals would also create inset balconies on the upper floors of the main tower. Whilst there would be overlooking from the rear balconies on the plinth into windows on the flank walls of the tower between 1st – 3rd floor, it would not introduce any additional loss of privacy than would result from the residential layout consented under the prior approval application.
- 10.96 New windows are created on the three floors of the south and north elevations of the plinth element. This would allow natural daylight to some of the units created through the prior approval process. Those windows on the north elevation would potentially create overlooking to windows in the new residential units created in Archway Tower which is set approximately 5m away. On the southern elevation, the site looks onto an area of land within the application site and further south, onto the Vorely Road bus depot site. As this is a potential development site and the remaining area within the surface car park forms part of the Hill House Masterplan area, it is not considered best urban design practice to allow an arrangement which would prejudice future development on that site. It is therefore proposed that these windows be restricted to opaque glass secured by condition 17.
- 10.97 In terms of the development's potential to cause noise and disturbance, there are no new land-uses being proposed (the provision of residential units have already been approved under Prior Approval). The council's acoustic officer has however recommended that conditions are appended to the decision requiring for the following information to mitigate the impact of the construction phase of development on the local area and to protect the amenity of the future occupiers of the building:
- Construction Environmental Management plan;
 - A scheme for sound insulation and noise control measures between the retail uses on the ground and residential units on the first floor.
- 10.98 Officers are therefore satisfied that there would be no loss of amenity subject to conditions, in accordance with DM2.1 and DM3.7 of the LBI Development Policies.

Accessibility

- 10.99 As a result of the changes introduced in the Deregulation Bill (Royal Assent 26th March 2015), Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor local wheelchair housing standards.

A new National Standard

- 10.100 The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to our present wheelchair accessible housing standard. Planning must

check compliance and condition the requirements. If they are not conditioned, Building Control will only enforce Category 1 standards which are far inferior to anything applied in Islington for 25 years.

10.101 Housing may only be required to be built to Category 2 and or 3 if there is evidence of a local need for such housing i.e. housing that is accessible and adaptable. The GLA by way of Minor Alterations to the London Plan 2015, has reframed LPP 3.8 Housing Choice to require that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London. In this regard, as part of this assessment, these emerging revised London Plan policies are given weight and inform the approach below.

10.102 Accessibility Assessment

The proposal provides 1 wheelchair accessible units (Category 3) amounting to 11.1% of the total number provided as measured by habitable rooms, which is in accordance with policy requirements. This unit would be served by one on-street accessible parking bays located in the surface car park. All of the remaining units would meet Category 2 requirements and this is secured by condition (12).

Planning Obligations and Community Infrastructure Levy

10.103 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development. This means that the measures required to mitigate the negative impacts of this development in terms of carbon emissions, lack of accessible parking spaces and local accessibility cannot be funded through Islington's CIL. Separate contributions are therefore needed to pay for the necessary carbon offset, accessible transport, highway reinstatement and local accessibility investment required to ensure that the development does not cause unacceptable impacts on the local area.

10.104 None of the financial contributions included in the heads of terms represent general infrastructure, so the pooling limit does not apply. Furthermore, none of the contributions represent items for which five or more previous contributions have been secured.

10.105 The carbon offset and accessible transport contributions are site-specific obligations, both with the purpose of mitigating the negative impacts of this specific development. The carbon offset contribution figure is directly related to the projected performance (in terms of operation emissions) of the building as designed, therefore being commensurate to the specifics of a particular development. This contribution does not therefore form a tariff-style payment. Furthermore, in the event that policy compliant on-site accessible car parking spaces had been provided by the development (or other accessibility measure) a financial contribution would not have been sought. Therefore this is also a site-specific contribution required in order to address a weakness of the development proposal, thus also not forming a tariff-style payment.

10.106 The highway and footway reinstatement requirement is also very clearly site-specific. The total cost will depend on the damage caused by construction of this development, and these works cannot be funded through CIL receipts as the impacts are directly related to this specific development.

10.107 None of these contributions were included in Islington's proposed CIL during viability testing, and all of the contributions were considered during public examination on the CIL as separate charges that would be required in cases where relevant impacts would result from proposed developments. The CIL Examiner did not consider that these types of separate charges in addition to Islington's proposed CIL rates would result in unacceptable impacts on development in Islington due to cumulative viability implications or any other issue.

National Planning Policy Framework

10.108 With these considerations in mind the proposals are considered to constitute a sustainable development addressing all economic, social and environmental strands effectively. Whilst there is a small loss of retail floorspace, the proposed external alterations to the building and improvements to existing retail provisions, as well as the new landscaping of Archway Town Square, are expected to act as a catalyst in improving the economic prosperity of the area. This is firmly in line with key building a strong, competitive economy and ensuring the vitality of town centres.

11. SUMMARY AND CONCLUSION

Summary

11.1 The delivery of this scheme would be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development that supports economic growth, but also seeks to ensure social and environmental progress.

11.2 The proposal is for re-cladding of Hill House and associated extensions to height and bulk and alterations which include the creation of a new residential entrance and reconfiguration of the existing retail units. The proposals also include the landscaping of Archway Town Square.

11.3 The design of the proposed alterations to Hill House are supported by officers and DRP as they offer significant improvements to the existing façade both in terms of building's visual appearance and energy performance. Furthermore, the proposals would have positive impact on character of the adjoining conservation areas and have regard to the façade treatment proposed for other tall buildings within the site (Hamlyn House and Archway Tower).

11.4 The increase in height has been assessed in the context of the surrounding area which already has two other buildings of significant scale (9 storeys and 18 storeys). It is accepted that the existing building already forms part of this group of tall buildings and the relative increase in height will not prejudice the hierarchy of the buildings to one another. The nature of the townscape setting

means that it is able to accommodate the scale of the building proposed without any unsatisfactory impacts on immediately neighbouring sites. It proposes useful accommodation in a tall building that has no harm or detrimental impact on the significance of any designated or nondesignated heritage assets.

- 11.5 To create the residential entrance into Hill House a shop unit is required to be removed from the Archway Mall frontage. The loss of this unit is off-set by the erection of a front extension and re-configuration of the existing retail floorspace. The development would not result in a reduction in the total number of retail units. There would however be a 150sqm loss of retail floorspace, but this considered to be outweighed by the wider public benefit of the proposals to the existing rundown state of the Town Centre.
- 11.6 The proposed landscape scheme will offer significant improvements to quality of the public realm through new tree planting, paving, seating and lighting. The provision of an L shaped wind canopy under Archway Tower will mitigate some of the existing wind conditions that have an adverse impact on pedestrian movement through the site. Furthermore, the proposals will offer an increased level of surveillance within the site, improving public safety and reducing the perception of crime. The proposals would not have an adverse impact upon neighbouring amenity in terms of noise and disturbance, a loss privacy, outlook or lightspill.

Conclusion

- 11.7 It is recommended that planning permission be granted subject to conditions and s106 agreement as set out in Appendix 1.

APPENDIX 1 – RECOMMENDATION

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service

- Commuted sum of £450,000 in lieu of affordable housing
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Removal of eligibility for residents' on-street parking permits.
- Compliance with the Code of Employment and Training
- Facilitation of 1 work placement during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £5000 to be paid to LBI. Developer / contractor to pay wages (must meet national minimum wage). London Borough of Islington Construction Works Team to recruit for and monitor placements.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £1500 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at a flat rate of £1,000 per flat.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.

- Submission of a final post occupation Green Performance Plan to the Local Planning Authority following an agreed monitoring period.
- Submission of a draft framework Travel Plan with the planning application, of a draft Travel Plan for Council approval prior to occupation, and of a Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Retention of current architects for the design development phase of the project to ensure continuity in the design approach and the standard of the appearance and construction of the development
- Council's legal fees in preparing the Directors Agreement and officer's fees for the preparation, monitoring and implementation of the Directors Agreement.

That, should the **Section 106** Deed of Planning Obligation not be completed within the Planning Performance Agreement timeframe the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

That the grant of planning permission be subject to **conditions** to secure the following:

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>

2	<p>Approved plans and documents list</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents: 1522_DWG_PL_020;1522_DWG_PL_021;1522_DWG_PL_022;1522_DWG_PL_023; 1522_DWG_PL_024; 1522_DWG_PL_100; 1522_DWG_PL_101; 1522_DWG_PL_200;1522_DWG_PL_202;1522_DWG_PL_203;522_DWG_PL_204;1522_DWG_PL_205;1522_DWG_PL_206;1522_DWG_PL_210;1522_DWG_PL_211;1522_DWG_PL_220; 1522_DWG_PL_221; 1522_DWG_PL_222; 1522_DWG_PL_223;1522_DWG_PL_230;1522_DWG_PL_231;1522_DWG_PL_232; 1522_DWG_PL_233</p> <p>Statement of Community Involvement by Connect Communications (August 2015); Construction Management Plan; Planning Statement by CMA Planning (September 2015); Wind Tunnel study by BRE (ref: 295-151, 07/07/2015); Design and Access Statement by Hawkins/Brown (September 2015); Hill House Sustainability Statement Revision 3.0 -15/12/2015; Transport statement Rev.V3 dated 8/09/2015; Air Quality Assessment by Peter Brett Associates dated September 2015; Surface Water Discharge Analysis September 2015; Noise and Vibration Survey and Assessment report dated 9th September 2015; Daylight and Sunlight report dated 8th September 2015; Townscape and Visual Impact Assessment dated September 2015; Green Performance Plan Revision 1.0 – 15/12/2015; Hill House Town Square Sketch Proposals (20/10/2014); Tree Protection Methodology</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Landscaping</p> <p>CONDITION: Details of a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> • details of levels and level changes; • proposed trees, including their location, species, size, details of tree pits; • soft planting (including details of species and biodiversity value) of grass and turf areas, and shrub and herbaceous areas; • hard landscaping, including ground surfaces and kerbs (samples of materials to be submitted); • resting places and furniture including seating; • details of landscaping measures to enhance the biodiversity of the site; • details of appropriate sustainable urban drainage (SUDS) features including their location, design, connectivity (SUDS management train) and contribution to water quality, amenity and biodiversity enhancement; • confirmation that the landscaping scheme has been designed in accordance with Islington's Inclusive Landscape Design SPD or Islington's successor SPD or policy; • a Landscaping Management Plan describing how the landscaping would be maintained and managed following implementation; and • any other landscaping feature(s) forming part of the scheme. <p>All landscaping so approved shall be completed/planted during the first planting</p>

	<p>season following practical completion of the relevant phase of the development hereby approved.</p> <p>The landscaping and tree planting shall have a maintenance/watering provision following planting and any trees or shrubs which die, become severely damaged or diseased shall be replaced with the same species or an approved alternative and to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details (including the Landscape Management Plan) so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of sustainability, to ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, to ensure the development is of an inclusive design, to ensure the heritage of the site is acknowledged and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with CS10, CS12 and CS15 of Islington's Core Strategy 2011 and policies DM2.2, DM2.3, DM6.2, DM6.5 and DM8.4 of Islington's Development Management Policies 2013.</p>
4	Trees
	<p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan, TPP) and the appropriate working methods (the arboricultural method statement, AMS) in accordance with Clause 7 of British Standard BS 5837 2012 –Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies CS7 and CS15 of Islington's Core Strategy 2011 and DM6.5 of Islington's Development Management Policies 2013.</p>
5	Materials and samples
	<p>CONDITION: Details of facing materials including samples shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the works is commenced. The details and samples shall include:</p> <ul style="list-style-type: none"> a) brickwork and mortar courses; b) metal cladding, panels and frames (including details of seam, gaps, and any profiling); c) windows and doors; d) edges and balustrades to balconies; e) roofing materials; f) louvers; g) any other materials to be used on the exterior of the building; h) a Green Procurement Plan for sourcing the proposed materials.

	<p>The Green Procurement Plan shall demonstrate how the procurement of materials from the development will be promoted sustainably, including though the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.</p> <p>1:1 elevational mock-ups of external materials to be used on the building at the plinth (first – third floors) and main tower shall be erected on the site and shall be approved in writing by the local planning authority prior to the relevant part of the works commencing.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard in accordance with polices CS9 and CS10 of Islington’s Core Strategy 2011 and DM2.1 of Islington’s Development Management Policies 2013.</p>
6	Provision of small shops
	<p>CONDITION: The development shall be carried out strictly in accordance with the floorplans so approved, and no change therefore shall take place without the prior written consent of the Local Planning Authority.</p> <p>The commercial units on the ground floor of the building shall not be amalgamated or further subdivided unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: The amalgamation or further subdivision of the commercial units is likely to have operational, transportation, aesthetic and amenity implications which would need to be considered under a separate planning application to ensure the provision of premises suitable for small businesses in accordance with policies CS8 and CS13 of Islington’s Core Strategy 2011 and policies DM2.1, DM4.1 and DM8.6 of Islington’s Development Management Policies 2013.</p>
7	External pipes and cables
	<p>CONDITION: No cables, satellite dishes, plumbing, down pipes, rainwater pipes or foul pipes shall be located / fixed to any elevation(s) of the building.</p> <p>Should additional cables, pipes be considered necessary the details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their installation in accordance with the details so approved.</p> <p>REASON: To ensure that the resulting appearance of the building is to a high standard and to ensure that the development is in accordance with policies CS9 of Islington’s Core Strategy 2011 and DM2.1 of Islington’s Development Management Policies 2013.</p>
8	Security and general lighting
	<p>A general outdoor lighting strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the works are commenced.</p> <p>In accordance with the approved outdoor lighting strategy, details of any</p>

	<p>permanent general or security outdoor lighting (including full specification of all luminaries, lamps and support structures) shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the works are commenced.</p> <p>REASON: In the interests of good design, security and protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill in accordance with, policies CS9 and CS15 of Islington's Core Strategy 2011, and DM2.1 of Islington's Development Management Policies 2013.</p>
9	Window cleaning apparatus
	<p>CONDITION: Details of the proposed window cleaning apparatus and associated goods, their operation and housing shall be submitted to and approved in writing by the Local Planning Authority prior the commencement of development.</p> <p>The window cleaning apparatus and associated goods shall be installed strictly in accordance with the approved plans, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on existing building and the appearance of the area in accordance policies CS8 and CS9 of Islington's Core Strategy 2011, and policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.</p>
10	Flood risk
	<p>CONDITION: Except in relation to demolition development shall not commence until details of a full surface water drainage strategy (SUDS management train) have been submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate maximisation of SUDS measures within the scheme in order to increase surface water attenuation, minimise water consumption, improve water quality and maximise biodiversity and amenity value. The strategy shall aim to achieve a maximum surface water discharge rate of 50l/second/hectare and shall provide explanation for any surface water run-off beyond the SOl/second/hectare target.</p> <p>The development shall be implemented strictly in accordance with the surface water drainage strategy so approved prior to practical completion, shall be maintained as such thereafter, and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To prevent the increased risk of flooding, to improve and protect water quality, and to improve habitats and amenity in accordance with policies CS10 and CS15 of Islington's Core Strategy and policy DM7.4 of Islington's Development Management Policies 2013.</p>
11	Sound insulation between ground and first floors
	CONDITION: Full particulars and details of a scheme for sound insulation

	<p>between the non-residential uses on the ground floor and consented residential units on the first floor shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of any of the ground floor retail units</p> <p>The approved sound insulation and noise control measures shall be carried prior to occupation of any of the ground floor retail units and strictly in accordance with the approved details, shall be maintained as such thereafter, and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To secure an appropriate internal residential environment and to protect the amenities of the occupiers of the consented residential accommodation in accordance with policy CS12 of Islington's Core Strategy 2011 and policy DM2.1 of Islington's Development Management Policies 2013.</p>
12	Shopfront design
	<p>CONDITION: Typical elevations of the shopfronts hereby approved at scale 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the works commencing.</p> <p>The shopfronts shall be carried out strictly in accordance with the elevations so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that that the shopfronts are of a high standard of design, appearance and sustainable construction and to comply with policies CS9 of Islington's Core Strategy 2011 and DM2.1 of Islington's Development Management Policies 2013.</p>
13	Canopy design
	<p>CONDITION: Details of the canopy, including samples shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the works is commenced.</p> <p>The canopy should be at least 50% solid, as required by the recommendations of the Wind Microclimate Assessment by BRE (ref: 295-151, 13/08/2014).</p> <p>REASON: To ensure that the resulting appearance and construction of the development is of a high standard in accordance with policies CS9 and CS10 of Islington's Core Strategy 2011 and DM2.1 of Islington's Development Management Policies 2013.</p>
14	Construction Management

	<p>CONDITION: No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall incorporate the details set out in the document 'Construction Management Statement (August 2014)' and include the following details:</p> <p>a) reduce number of construction vehicle movements especially in peak periods such as through: re-timed or consolidated construction vehicle trips; use of alternative modes; resource sharing on site; sourcing local materials etc;</p> <p>b) use of operators committed to best practice (as demonstrated by Transport for London's Freight Operator Recognition Scheme (FORS).</p> <p>The construction of the development shall take place in accordance with the details so approved.</p> <p>REASON: To mitigate the impact of development and to comply with policies CS9 of Islington's Core Strategy 2011 and DM2.1 of Islington's Development Management Policies 2013.</p>
15	Accessible Housing (Compliance)
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, all 9 of the residential units shall be constructed to meet the requirements of Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2) and 1 unit shall be constructed to meet the requirements of Category 3 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Wheelchair user dwellings' M4 (3).</p> <p>Building Regulations Approved Plans and Decision Advice Notice, confirming that these requirements will be achieved, shall be submitted to and approved in writing by Local Planning Authority prior to any superstructure works beginning on site. The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs, in accordance with London Plan (FALP) 2015 policy 3.8 (Housing Choice).</p>
16	Cycle stores (Details)
	<p>CONDITION: Details of the external bicycle stores, including plans and elevations, shall be submitted to and approved in writing by the Local Planning Authority. The approved bicycle stores shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking and mobility scooter storage is available and easily accessible on site, to promote sustainable modes of transport and to secure the high quality design of the structures proposed.</p>
17	Obscure Glazing (Compliance)
	CONDITION: Notwithstanding the plans hereby approved, the newly created

	<p>north and south facing windows on ground, first and second floor of the plinth shall be obscurely glazed and non-opening and retained as such permanently thereafter.</p> <p>REASON: In the interest of preventing undue overlooking onto neighbouring sites which may prejudice development potential and to protect the future amenity and privacy of residents within Archway Tower.</p>
18	Refuse Store (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the plans hereby approved shall be provided prior to the first occupation of the relevant part of the development and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
19	London Underground Structures Method Statement
	<p>The development hereby permitted shall not be commenced until a detailed design and method statement (in consultation with London Underground), have been submitted to and approved in writing by the local planning authority which:</p> <ul style="list-style-type: none"> • provide details on the use of tall plant • accommodate the location of the existing London Underground structures and tunnels <p>The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.</p> <p>Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6 .1 and Land for Industry and Transport Supplementary Planning Guidance 2012</p>
20	Removal of car parking spaces
	<p>CONDITION: Notwithstanding the plans hereby approved no permission is granted for the four car parking spaces shown in the rear service yard as shown on drawing no. 1522-DWG_PL_100. Amended plans showing a single accessible car parking bay only shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the residential units granted by this consent.</p> <p>The development shall be carried out in accordance with the amended plans so approved, provided prior to occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development is car free.</p>

21	Energy Efficiency – CO2 Reduction (Compliance/Details)
	<p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy which shall together provide for no less than a 30% on-site total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2010 as detailed within the Sustainability Statement shall be installed and operational prior to the first occupation of the development.</p> <p>Notwithstanding the above details, a revised Energy Strategy shall be submitted which demonstrates the feasibility of an alternative overheating analysis without artificial cooling and which shall provide for no less than a 30% onsite total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2010.</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>

List of Informatives:

1	<p>It is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and at the final manhole nearest the boundary.</p> <p>Connections are not permitted for removal of groundwater. Where the developer proposes discharge to a public sewer prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.</p>
2	<p>Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</p>
3	<p>The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.</p>
4	<p>Car-Free Development</p>
	<p>All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people, or other exemption under the Council Parking Policy Statement.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material

consideration and has been taken into account as part of the assessment of these proposals.

2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) London Plan 2011

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.1 London in its global, European and United Kingdom context

Policy 2.2 London and the wider metropolitan area

Policy 2.3 Growth areas and co-ordination corridors

Policy 2.13 Opportunity areas and intensification areas

Policy 2.14 Areas for regeneration

Policy 2.15 Town centres

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.5 Quality and design of housing developments

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.7 Retail and town centre development

Policy 4.8 Supporting a successful and diverse retail sector

Policy 4.9 Small shops

Policy 4.11 Encouraging a connected economy

Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.4 Retrofitting

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.15 Water use and supplies

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.11 London View Management Framework

Policy 7.12 Implementing the London View Management Framework

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.18 Protecting local open space and addressing local deficiency

Policy 7.19 Biodiversity and access to nature

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

Policy 8.4 Monitoring and review for London

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS3 (Nag's Head and Upper Holloway Road)

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

Policy CS14 (Retail and Services)

Policy CS15 (Open Space and Green Space)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

Policy CS19 (Health Impact Assessments)

Policy CS20 (Partnership Working)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

DM2.4 Protected views

DM2.5 Landmarks

DM2.7 Telecommunications and utilities

Shops, culture and services

DM4.1 Maintaining and promoting small and independent shops

DM4.3 Location and concentration of uses

DM4.4 Promoting Islington's Town Centres

DM4.5 Primary and Secondary Frontages

DM4.6 Local shopping Areas

DM4.7 Dispersed shops

DM4.8 Shopfronts

Health and open space

DM6.2 New and improved public open space

DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.3 Decentralised energy networks

DM7.4 Sustainable design standards

DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.3 Public transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

E) Site Allocations June 2013

ARCH1 Archway Tower and Island site (the Core Site)

4. Planning Advice Note/Planning Brief

'Regeneration proposals for Archway' was adopted by the Council's Executive on 5 July 2011.

Archway Development Framework SPD (adopted 2007)

5. Designations

The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- | | |
|------------------------------------|-----------------------------------|
| - Core Strategy Area – Archway (1) | - Within 100m of TfL Road Network |
| - Archway Town Centre | - Within 100m of Strategic Road |
| - Within 50m of St John's Grove | Network |
| Conservation Area | |

6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

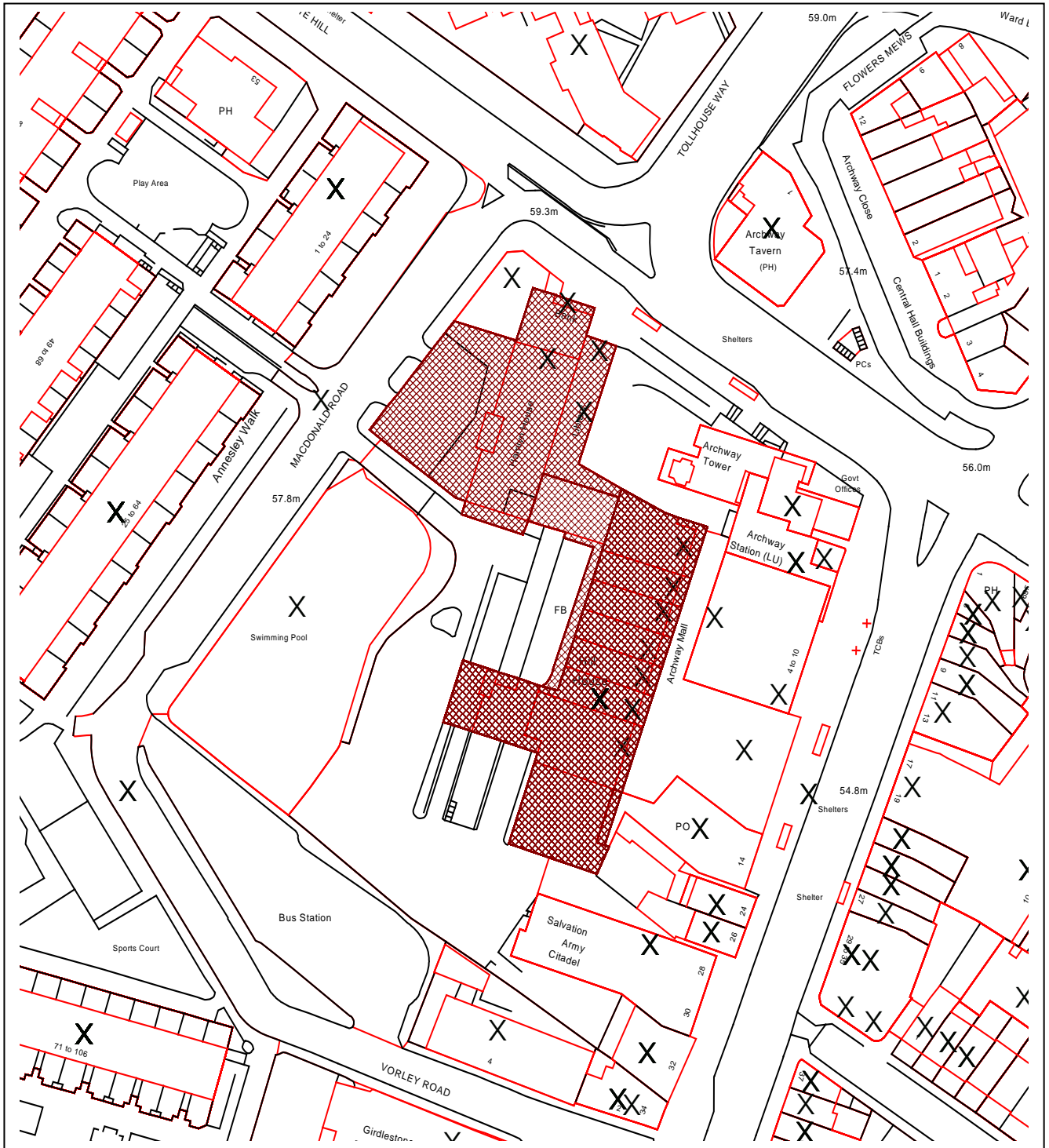
Islington Local Development Plan

- Environmental Design
- Conservation Area Design Guidelines
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide

London Plan

- Accessible London: Achieving and Inclusive Environment
- Sustainable Design & Construction

Islington SE GIS Print Template



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P2015/3977/FUL

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PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 333
222 Upper Street
LONDON N1 1YA

PLANNING COMMITTEE		AGENDA ITEM NO:
Date:	19 January 2016	NON-EXEMPT

Application number	P2015/2913/FUL
Application type	Full Planning Application
Ward	Hillrise
Listed building	Some buildings locally listed
Conservation area	Whitehall Park
Development Plan Context	Site Allocation OIS10 Ashmount School Planning Brief (2012) TPO (NO.325) 2007
Licensing Implications	None
Site Address	Southern Part of the Site of Whitehall Park Primary School (Formerly Ashmount Primary School) Ashmount Road, London N19 3BH
Proposal	The demolition of the existing buildings on the southern part of the Former Ashmount School site and the erection of 46 residential units in three blocks with associated landscaping

Case Officer	Sarah Wilson
Applicant	Islington & Shoreditch Housing Association (ISHA)
Agent	Nathaniel Lichfield & Partners

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

- subject to the conditions set out in Appendix 1;
- conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1;

2. SITE PLAN (site outlined)



Figure 1. Aerial view of site

3. PHOTOS OF SITE/STREET



Figure 2. View along Ashmount Road



Figure 3. Entrance to site from Ashmount Road



**Figure 4. View into site from Ashmount Road
(temporary Whitehall Park School)**

4. SUMMARY

- 4.1 The application proposes the demolition of existing buildings on the southern part of the former Ashmount School site (located within the Whitehall Park Conservation Area) and the erection of 46 residential units located in three distinct blocks.
- 4.2 The proposed use of the site for residential is consistent with the Council's Site Allocation OIS10 as a site suitable for residential development and is also in line with the, adopted Planning Brief and the direction of the Secretary of State.
- 4.3 The proposed development has been informed by the shape of the site and seeks to retain protected trees from the boundaries of the site. It is considered that the positioning of buildings on the site is appropriate in terms of making best use of the site and would inevitably result in the loss of trees from the site, having regard to the Secretary of State decision to split the wider site. The layout, height and massing of buildings on the site is supported by the Design Review Panel and the Design and Conservation Area and is considered, through a modern interpretation of a selection of building styles in the surrounding conservation area, to contribute positively to its character. Whilst the detailed design has attracted significant objections from the locality, the conservation area is categorised by a variety of architectural styles and therefore the simplistic modern interpretation of the buildings, which are flatted blocks rather than single family dwellings are considered to preserve and enhance the conservation area character. This is subject to detailed conditions related to

materials and the retention of the architects to oversee the material selection and detailed construction of the development on the site. In this regard, the proposal is considered to be of an appropriate scale, massing, detailed design, with a sympathy given to the plot widths in the area and therefore compliant with policies CS8 of the Core Strategy 2011, policies DM2.1 and 2.3 of the Development Management Policies 2013, consistent with Site Allocation (2013): OIS10 and the adopted Planning Brief for the site (2012).

- 4.4 The density of the development at 363 habitable rooms per hectare or 107 units per hectare is comfortably within the density range of between 200-450 hr/ha or 55-145 u/ha, as set out within the London Plan (2015).
- 4.5 The proposal seeks permission to remove a total of 18 trees from the site, 10 of which are protected by Tree Preservation Order and 8 protected by virtue of the conservation area location of the site. The proposal would see the replanting of a total of 21 trees to replace those removed. The canopy cover as lost would amount to 520sqm, however the projected canopy cover that would replace the lost canopy (over a 10 year period) would exceed it by 38sqm (558sqm replacement total). In canopy terms, no financial mitigation is required. Whilst the Tree Officer raises an in principle objection to the proposal due to the resulting relationship between retained trees and building foundations and elevations of the proposed new dwellings, it is the view of officers that the replacement planting and canopy cover, the requirements that are to be written into the lease for any properties within Blocks B and C advising of the issues likely to arise due to tree canopy proximity will go a significant way towards reducing the impacts of this relationship. Additionally, it is also the view of officers that there are substantial overriding planning benefits that are secured as a result of the proposals that are appropriate to balance against the objections from the Tree officer. These include the decision of the Secretary of State to split the site to allow a school and housing development to be accommodated on the wider site and additionally, the provision of a scheme that offers almost 80% affordable housing on this site, with possibility of this being increased, meeting a considerable housing need within the borough. In this regard, these planning benefits provide for compliance with planning policies CS15 of the Islington Core Strategy (2011) and policy DM6.5 of the Development Management Policies (2013), as well as the Planning Brief (2012).
- 4.6 The proposed development would deliver a high quality of residential units, all of which would exceed (in some cases considerably) the minimum unit sizes, in all cases achieving the minimum storage requirement, and all but three one bedroom units would be dual aspect, with all units achieving the minimum 2.6m floor to ceiling heights. Whilst some of the units do not meet the minimum daylight or sunlight receipt, most affected rooms are bedrooms and generally the cause is as a result of windows being set in behind a recessed balcony or on odd occasion due to a junction between blocks of different orientations. When compared to existing nearby properties to the development site, the level of daylight receipt that would be achieved is commensurate. The proposal is therefore compliant with policies CS12 of the Islington Core Strategy (2011) and policy DM3.4 of the Development Management Policies (2013).
- 4.7 The private amenity space within the proposed development is compliant with policy, with the exception of 3 flats, one of which (shared ownership) would have no private

amenity space and the other two (private tenure) would each fall short by just 1sqm. Given this very small shortfall for just three units, the amenity space is acceptable. Whilst the amenity spaces of many of the units would experience shading from adjoining trees, in all other respects the spaces are high quality. The proposal is however on balance considered to be compliant with policies DM3.4 and DM3.5 of the Development Management Policies (2013) and both the Site Allocation OIS10 and the Planning Brief (2012) and to perform well given the constraints of the site, the need to maximise the efficient use of sites and as a result of the Secretary of State's decision to split the site.

- 4.8 The development generates a child yield of 44 children amounting to a play space requirement of 217.9sqm. Policy allows for this play requirement to also be made up of private gardens and amenity spaces suitable for play. Specifically identified play space on site measures 80sqm, and out of hours access to the adjoining schools MUGA is also to be secured which would cater for much of the 12+ age group as well as some of the older children within the 5-11 year range. The majority of the under 5's play requirement would be met via provision of private garden areas. In this regard, there is considered to be a shortfall of just 5sqm, which is a usual situation for residential developments within Islington. Whilst objections have been received stating insufficient play space has been provided within this scheme, it is clear the development provides a good level of play space for future child residents. In this regard, the proposal is considered to accord with planning policy DM3.6 of the Development Management Policies (2013).
- 4.9 The scheme delivers good quality housing including 76% of affordable housing (by units) and 79% by habitable rooms and accessible accommodation to address housing needs within the borough. The affordable housing provision is supported by a financial viability assessment which has factored in an element of public subsidy. In terms of the level of affordable housing proposed, without public subsidy it would be considered the scheme would be undeliverable. Additionally, the mix of units proposed is supported by the Council's Housing Team due to recent government legislation changes bringing changes in the need for affordable properties of particular sizes. In this regard, the proposal complies with policy CS12 of the Islington Core Strategy 2011, and there are exceptions to warrant a slight departure from the housing mix requirement of policy DM3.1 (Development Management Policies (2013)).
- 4.10 The proposed development has been designed to sit at heights that are appropriate to the built context of the surrounding area, including the sloping nature of area. Where the development would be less than 18m from the closest rear elevation of Gresley Road or Ashmount Road properties, the design has been crafted so as to ensure boundary fencing would secure the necessary privacy, or roof windows are positioned on an angle to prevent views, or in the last instance, windows are conditioned to be fitted with obscure glass to prevent views. Whilst the sunlight and daylight assessment raised some concerns with regards of 1 Ashmount Road and two Gresley Road properties, Block B2 has since been moved 1.25m further away from these properties which would reduce impacts. Whilst objections on the grounds of inaccurate assumptions with respect of 1 Ashmount Road have been received, it is considered that the assessment provided is accurate and clearly sets out the losses of light to windows and within rooms as required by the BRE Guidelines. Light

receipt to all nearby properties would remain consistent with light levels received by surrounding properties and in this regard any reductions would not generate a degree of harm that would warrant refusal of this application. In this regard, the constraints of the site having regard to the Secretary of State's decision to split the wider site, and subject to conditions referenced above, the proposal would not have an unacceptable impact of neighbouring residential amenity and would therefore accord with policy CS12 of the Islington Core Strategy (2011) and policy DM2.1 of the Development Management Policies (2013).

- 4.11 The proposed development delivers a sustainable development via green roofs and sustainable drainage that would improve onsite drainage compared to the current arrangement, provides for bird and bat boxes to be installed. In terms of energy efficiency the scheme provides for individual gas boilers to deliver CO2 savings including provision for solar thermal and solar photovoltaic panels to achieve 35% regulated CO2 savings compared to 2013 Building Regulations and 18% total CO2 savings, which is considered to maximise efficiency. A CO2 financial contribution of £96,734 is to be secured within the legal agreement to off-set CO2 emissions (total) down to zero. A shared energy network with the adjoining school is still being explored by the applicant and the school and is secured via s106 agreement. The development in this regard performs well against the adopted policies of the development plan.
- 4.12 The proposed development would provide for a total of 5 on-site accessible car parking spaces within the site, for sole use by blue badge holders, with other residents having future rights to obtain on-street car parking permits removed (via s106 agreement). The development provides a total of 84 cycle parking spaces, divided into convenient locations so as to serve each residential block effectively. Mobility scooter charging and pushchair storage areas are also proposed. Servicing would take place within the site. Whilst objections have been received stating not enough car parking is provided and impacts on the availability parking on the street will occur, the development is well provisioned with cycle parking is conveniently located to shops and bus routes which would minimise reliance on the private car. The development, being car free complies entirely with planning policies CS10 (Core Strategy 2011) and policy DM8.5 (Development Management Policies 2013).
- 4.13 Whilst a number of objections have been received against the development, on the grounds of density, perceptions of poor design including overdevelopment, unacceptable loss of trees or unclear information, poor quality resulting accommodation including inadequate play space, the applicant has provided updated information including Tree Surveys, revised drawings, and presented the scheme back to the independent Design Review Panel for further design comment. It is considered that the amended scheme and updated information has addressed the concerns raised by residents, having regard to planning policy requirements and subject to suitable planning conditions and s106 legal agreement requirements the development would deliver high quality accommodation that would not unduly impact on the amenity of nearby properties.

5. SITE AND SURROUNDING



- 5.1 The former Ashmount Primary School vacated the wider site upon its relocation to Crouch Hill Park in January 2013. The solid line in the above plan indicates the extent of the wider historic Ashmount School site.
- 5.2 The Secretary of State for Education approved the disposal by the council of the northern part of the site for a new school (Whitehall Park School) and the southern part of the site, (denoted by the dashed line) for housing. This planning application relates to the southern part of the site.
- 5.3 At pre- application stage, the council assessed schemes in relation to both parts of the site simultaneously, to ensure compatibility in terms of site layout, building lines, massing, general character and amenity.
- 5.4 The application site (which was previously playground space for the former Ashmount School), is temporarily occupied by the Whitehall Park Primary School within portakabin buildings approved for a temporary timeframe until such time as the permanent school on the northern site has been constructed and is available for occupation.

The site

- 5.5 The southern area of the former Ashmount school site occupies an area of 0.427ha. It is bounded by the remainder of the former school site and Hornsey Lane to the north, Ashmount Road to the east and by the rear gardens to the existing housing on Gresley Road to the south, the boundary of which is lined by trees protected by Tree Preservation Order. The site is within the Whitehall Park Conservation Area.
- 5.6 The former school buildings are 1, 2, 3 and 4 storeys in height. An existing substation is located on the site, contained within a single storey brick structure.

- 5.7 There are a number of existing mature trees on the site, which are automatically protected by virtue of being located within a Conservation Area. There are also some of those trees within the site that are specifically protected additionally, by virtue of Tree Preservation Order designation. The site itself slopes, primarily from the north-west to the south-east with an approximate change in level of 4-6 metres.

Surroundings

- 5.8 To the north of the site lies the wider part of the former Ashmount Primary School site that is to be developed for the new Whitehall Park School, to the west stands a 6 storey residential flatted development known as Fortior Court and to the east Ashmount Road.
- 5.9 The surrounding area is residential in character and comprises a mixture of styles of property, including a variety of terrace rows, traditional semi-detached dwellings and modern flatted developments. Building heights vary between 3 and 6 storeys in height.
- 5.10 There are four street trees adjacent to the site on Ashmount Road.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal is to demolish the existing former school buildings (the Infants school block) on the southern part of the former school site and to construct three residential blocks of between two and four storeys to create 46 new homes, including the relocation of an existing electricity substation on the site into a new location within the development.
- 6.2 Blocks A1 and A2 (four storey) on the northern part of the application site (fronting Ashmount Road and running along the northern boundary behind) will provide 22 units, 11 as shared ownership and 11 private sale. Blocks B1 and B2 at three storeys will be sited to the south of Blocks A1 and A2 and provide 20 units for affordable rent (set at target rent levels). Block C, in the south west corner of the site provides 4 houses for affordable rent, which will be three storeys in height (one storey sunk into the ground as viewed from the south). The site layout plan with labelled blocks is provided below. The blocks would be constructed of red brick, with varying mortar colours between the street facing blocks and those internal to the site.



- 6.3 The affordable housing offer comprises of 35 units, 24 being affordable rent (set at target rent / social rent levels) and 11 shared ownership units with the remaining 11 for private sale to help cross subsidise the delivery of the affordable units. This equates to 76% affordable (by units) and 79% by habitable rooms. The affordable tenure split is 75% affordable rent (set at target rent levels) and 25% shared ownership.
- 6.4 The proposal seeks permission for the removal of a total of 18 trees from the site 10 of which are protected by Tree Preservation Order, 8 protected by virtue of the conservation area location of the site.
- 6.5 The proposal includes provision for the planting of a total of 21 trees to replace those removed.
- 6.6 The new buildings will partially front the street, Ashmount Road, and a new mews road will be created within the site, with access from Ashmount Road (via the existing access) for servicing, emergency access and for Blue Badge holders only. The scheme will be car free but five wheelchair accessible car parking spaces (for use by blue badge holders only) will be provided on site. A total of 84 cycle parking spaces are proposed within 4 covered locations within the site.
- 6.7 One on-street parking space will be lost to ensure that a refuse vehicle can enter and exit the site in a forward gear and the kerb line requires altering. Refuse and recycling storage is provided in four locations within the site, two within Block A and two within Block B.
- 6.8 A landscaped communal space/play area will be created in the south of the site (85sqm).

Revision 1

6.9 November 2015: Revisions to the scheme included:

- Revisions to Block B2 internal courtyard elevation;
- Revision to roof junction between Block A1 and A2;
- Additional Sunlight / Daylight and overshadowing information provided;
- Updated Tree Survey information provided; and
- Site Survey Drawings were submitted.

Revision 2

6.10 December 2015: Revisions to the scheme included:

- Movement of Block B2 a further 1.25m further towards the north; and
- Updated Tree Survey and Report.

7. RELEVANT HISTORY:

- 7.1 A detailed section on the background of this site in relation to planning history, council and Secretary of State decisions is provided below, however the most relevant history for the wider site (the former Ashmount School) involves the application below as this granted permission for the Ashmount School to re-locate to the site at Bowlers Nursery and Crouch Hill Recreation Centre.
- 7.2 P082526 - Demolition of nursery and community recreation facilities in western part of the site, refurbishment of the Cape Youth facility, construction of a new primary school and nursery building, relocation and upgrade of games area and re-routing of internal access road to southern edge of the site. Approved: 18/12/2009. This development has been completed and is now a fully operational school.

Planning Applications:

- 7.3 P2015/1089/FUL (Northern part of the site) Demolition of the existing former Ashmount Primary School building and erection of a new 3 storey, flat roofed school building to accommodate the "Whitehall Park School", including ancillary play space. GRANTED: 17 December 2015.
- 7.4 P2015/1424/FUL (southern part of the wider site) - Retention of the Admin/ Staffroom building, removal of the Classroom building and addition of two, 2 storey modular Classroom buildings, for a limited period until 31/08/2016 to provide temporary accommodation for the Whitehall Park primary school. Approved 04/08/2015.
- 7.5 P2014/1754/FUL (southern part of the wider site) Construction of 3 modular classroom buildings to accommodate the Whitehall Park Free School for a temporary period until August 2016. Approved 26/06/2014.

Tree Applications

- 7.6 **P2015/4008/TRE:** Works to trees located in the grounds protected under LBI TPO (NO.325) 2007. These works are to the trees on the southern part of the site adjacent to Gresley Road REFUSED: 19 November 2015.

ENFORCEMENT:

- 7.7 No relevant details.

PRE-APPLICATION ADVICE:

- 7.8 Q2104/4706/MJR The proposal has been the subject of pre-application discussions since November 2014. Initially the proposal was for development of 51 residential units within three blocks ranging in height from 3-5 storeys within the southern area of the school site. In response to the pre-application advice, the scheme was amended to relocate Block A (the northern block) further from the north boundary of the site in consideration of the proposals for the new school. The height of Block A was also reduced from five storeys to four storeys resulting in a loss of five units (from 51 units to 46) along with other elevation and layout changes.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 286 adjoining and nearby properties at Ashmount road, Hornsey Lane, Gresley Road, Hazelville Road, Whitehall Park, Stanhope Road, Ridgeway Gardens, Hornsey Lane Gardens and Ridings Close on 17th August 2015. A site notice and press advert were displayed on 17th August 2015. The public consultation of the application therefore expired on 7th September 2015.
- 8.2 On receipt of revised plans a second round of consultations took place on the 9th November 2015 with a 14 day period in which consultees could make representations. This second round of consultations thus expired on 23rd November 2015. It is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.3 After review of the above responses including that of the Tree Officer, a further round of public consultation due to amended drawings (moving Block B 1.25m northwards) and the amendment of the Tree Report, a further 14 day consultation period was commenced on 16 December 2015.
- 8.4 At the time of the writing of this report a total of 28 (this excludes repeat objections from the same objectors in response to each consultation exercise carried out) objections had been received from the public with regard to the application. It should be noted that previously received objections to the scheme are continued to be reported within this report. An objection would only be disregarded if an objector specifically wrote stating that an updated letter was to entirely replace a previous statement. In this regard further consultation periods do not cancel out responses received to a previous one.

8.5 Additionally, in October 2015, a three page letter signed as a petition by 64 people was also submitted. The letter raised the following concerns regarding perceived inadequacies of the submission:

- Requirements for the provision of detailed and accurate information have not been met; showing the relationships and spaces between the proposed blocks. Officer response: adequate drawings have been provided with this application. When read in conjunction with each other, the separation distances are clear and understandable.
- No topographical survey illustrating existing levels and none showing those proposed. Officer response: A topographical survey was submitted after being requested by officers. The proposed levels are indicated either on proposed cross section drawings or site plans. Whilst they mainly deal with finished floor levels and levels internal to the site, no permission would be given to lower the levels within root protection areas and planning conditions are imposed to this effect.
- Tree Survey Assessment is insufficient, inconsistent and contains misleading classifications. Officer response: revised Tree Surveys were provided on a number of occasions. Whilst the Tree Officer disagrees with conclusion on relationship between retained trees and proposed buildings, no objections to tree removal proposals and replacement proposals now stand. Please refer to Tree Section of this report for further information.
- Light Assessment is incomplete. Shadow diagrams are not included in the Daylight & Sunlight Assessment. Tree overshadowing of Blocks B and C amenity spaces has not been considered. Officer response: A Sunlight and Daylight Addendum was provided by the applicant. This provides the missing information include shading diagrams for the amenity spaces. Refer to section under 'Quality of resulting accommodation' for further information. A Light Assessment is not required to assess Tree Shading – refer to **paragraphs 10.41** for further information.
- Missing: details of façade elements; non-disclosure of Design Review Panel comments; lack of planting proposal to replace trees to be removed, lack of detailed design of the proposed play space. Officer response: Details of façade elements are featured within the various Design and Access Statement documents. An applicant is not obligated to shared Design Review Panel comments, however the most recent response is appended to this report (Appendix 3). A planting proposal is provided, however this is always secured via a planning condition to secure more detail including replacement strategy should any die and maintenance programme. This is a similar situation for the play area, the finer details of which would be secured by planning condition.

8.6 The letter petition also raised the following specific objections:

- Development is excessive for the site with associated negative impacts for existing and future residents. Spacing between Blocks A and B is minimal, perception that the blocks themselves form continuous, relentless massing, proposal presents a quality of light issue for new residents with windows

overshadowed by trees and poor quality amenity and play spaces for family housing that are small and overshadowed by trees. Officer response: Please refer to the Design, Neighbour Amenity and Quality of Accommodation sections of this report, including proposed planning conditions to mitigate some of the above concerns.

- Value of the conservation area will be diminished by the proposal. The proposed design does not respect or positively relate to the existing buildings or streetscene. It is not similar in urban form, plot sizes, scale, building and storey height, proportion or key design lines to the existing housing. Views that the design is unsophisticated and does not meet the need for a sensitive elevational treatment as advised by the Design Review Panel;
- There has not been proper consideration of the trees to be retained on the site, all of which benefit from TPO designation. Officer Response: careful consideration has been given to tree impacts in this assessment, including movement of Block B2 and part of B1 1.25m northwards, and a different view arrived at by officers. This is subject to detailed planning conditions as set out within the Tree Section of this report and Recommendation B.

8.7 Three (3) solicitors letters were received from Kingsley Smith Solicitors dated i) 16 September 2015; ii) 25 November 2015 and iii) 23 December 2015 raising concerns on behalf of the residents of 1 Ashmount Road. A summary of those issues include (and are not repeated in the neighbour response section if also raised by the occupants):

8.8 16 September 2015

The solicitors letter addresses Islington policy and sets a case for the refusal of the planning application on the basis of their view that the scheme fails to accord with the NPPF and policies regarding design within Islington Development Management policy DM2.1. Key points made are that the proposal should be refused because: Block B1 protrudes forward of the 1 Ashmount Road (and rest of terrace) building line. Additionally, overlooking of windows in the side elevation of 1 Ashmount Road at a stated distance of 6m, suggests the application should be refused. This includes the glazed kitchen / diner, bathroom and bedroom windows at first floor and the rear amenity space. The 18m separation distance is quoted.

The letter contends that the proposal dominates 1 Ashmount Road in terms of bulk and massing. Replacing the adjoining single storey building with the proposed 3 storey building 'hard up' against the 1 Ashmount Road property would in the solicitors view create significant and demonstrable harm. The solicitors have advised their client to pursue a challenge in 'the Planning Court' if approved. Additionally, the solicitor suggests a bias or pre-determination.

The submitted sunlight and daylight reports fail to assess impacts to the glazed roof of the single storey infill extension at 1 Ashmount Road, the applicant therefor concludes that the analysis is flawed.

No noise assessment has been submitted with respect of noise impacts to 1 Ashmount Road due to the introduction of residential at the application site (**paragraph 10.157**).

The solicitors consider that the harm caused to their client is so significant and demonstrable that the scheme is thus representing an unsustainable development as defined by the NPPF and should be refused. The solicitor letter states there are no material considerations that suggest approval is appropriate.

Officer response: refer to detailed analysis within the Design section and Neighbour Amenity section.

- 8.9 25 November 2015: The solicitors letter is largely a response to the applicant's planning agents (NLP) Briefing Note dated 6 November 2015. Where it raises pertinent issues, they are provided below:

NLP Briefing Note suggests that the solicitor's clients concerns had been addressed. This is strongly disputed by the solicitor. Concerns raised that dialogue has taken place (3 meetings cited) between the applicant and the Council.

The Briefing Note refers to Daylight Distribution, stated as discussed with officers. The solicitors state the assumptions and therefore the analysis is flawed in relation to 1 Ashmount Road. The ground floor glazed sided / roofed kitchen/diner is not assessed in any way by the applicant, therefore conclusions no harm is caused are incorrect. The Appendices to the Addendum report do not address this kitchen/diner. Plan 491 PL 105B does not show this diner. Officer response: the Daylight Sunlight Addendum Report does show the diner, and correctly assesses the vertical, full width sliding doors that light it, as well as the light distribution within the room.

Overlooking Potential is stated to flow from the first and second floors where there are bedrooms of 13 and 14sqm in size on each floor, plus a balcony of 7sqm at each floor. The solicitors acknowledge that the hall and bathroom windows are not habitable. Stated that these windows are within 6 and 8m of their client's property offering views into habitable rooms and the outdoor amenity space. The letter makes reference to a statement that the policy relating to overlooking does not mention 'direct' overlooking as a requirement for the 18m separation distance. Balconies at first and second floors on the frontage of Block B1 have been amended from earlier designs and give opportunity for overlooking. Officer response: refer to detailed analysis section 'Neighbour Amenity' where planning conditions are imposed to prevent overlooking.

- 8.10 23 December 2015:

Identifies that the applicant stated that officers dictated the changes required to the scheme in detail. Solicitors view that the demonstrable harm their client considers is caused to them is not addressed by the amendments. They consider moving Block B1, 1.25m northwards remains in breach of development plan policy. They point out the distance between Block B1 and A1 is less than between Blocks B2 and A2, and it is stated that Block B1 could be moved further northwards. Claims the design of the building internally and externally is bad.

Block B1: why has nothing been done to alter the bad design, that has no rear amenity space? Why are verandas not on the opposite elevation? Why is glazing not all opaque / fixed shut with the exception of top hung lights? Why has the block not been made of lesser width (when viewed from the street)? Why has the internal layout not been amended to make it north facing to prevent overlooking of the property immediately south?

View that the amendment is so minimal it in no way addresses residents objections.

Officer response: refer to Design, Neighbour Amenity and Quality of Resulting Accommodation sections for analysis.

View that the applicant is being led by officer and bringing the conduct of the planning service into disrepute given the scheme is at odds with the development plan.

- 8.11 At this point the following issues had been raised by nearby residents within the 28 independently submitted responses, in some cases a direct response is given as well as reference to paragraphs within the assessment section where further detail and response is provided. Note that if an issue has already been presented within the summary of the petition letter or raised in the solicitor's letters summary, they are not further repeated below:

8.12 Lack of detailed drawings

Drawings are not sufficiently detailed and existing and proposed topographical survey is essential as changes in level between existing and proposed will have implications for overlooking, privacy, outlook and also existing planting and trees.

Officer response: *This is not agreed, cross referencing between the existing site survey, including levels on the site boundaries and compared to the proposed finished floor levels on cross sections and floor plans make assessment for overlooking, privacy and outlook possible. Updated Tree Surveys and planting proposals have also been received making this clearer. Additionally, conditions are recommended relating to trees and no alteration of levels within root protection areas are permitted without approval (landscaping condition) being obtained first. Refer to **paragraphs 10.155 to 10.200** for impact on residential amenity assessment.*

The section through Block C and the rear of Gresley Road property (in D&A Document): the levels shown are not as existing and would require the construction of a retaining wall and indicates, by scaling, an increase in level difference between the existing Gresley Road property and the current site levels on the Ashmount site.

Officer response: *Cross section drawing 491_PL_202 shows the relationship between Block C and Gresley Road properties. Refer to **paragraphs 10.178-179** for further assessment in this regard.*

There is no section through the proposed site showing the relationship of Blocks A and B. The relationship between these two buildings and the space between is absolutely fundamental to the proposal and has implications for the occupants in regard to privacy, overlooking, outlook and daylight and sunlight. There is also no section showing the relationship of Block A and the proposed school.

*Officer response: Drawing 491_PL_201 Rev A shows the cross section between Blocks A and B and between Block A and the adjoining school. **Paragraphs 10.35 and 36** address the internal relationship between Blocks A and B and overlooking.*

No sections between the proposed and existing on Gresley Road or Ashmount are shown as part of the drawing set. Whilst these are shown in basic form in the Design and Access Statement they are not shown as part of the submitted drawings for approval.

Officer response: sections through Block C are provided in some detail, with a more basic arrangement shown to the Block B and Gresley Road properties further east (491_PL_201 Rev A). Reading the site layout plans and existing site survey, the necessary detail can be obtained.

8.13 School

The site should be used as a playground for the adjacent Whitehall Park School, not for housing development (**paragraph 10.7**)

8.14 Design

There appears to be too much red brick which is not in keeping with other streets in the vicinity (**paragraph 10.61**);

The design does not show the relationship to the proposed new school. Officer response: the approved planning drawings have been utilised when assessing the relationship of this proposal to the school in terms of separation distances, height, layout and design.

The design does not respect the Conservation Area and therefore does not accord with Islington policy (**paragraphs 10.67-73**).

Ugly dormer windows are included in the scheme. If residents proposed dormers of this design they would be refused. They do not respect the character of the conservation area (**paragraph 10.63**).

8.15 Block A2 (Block to rear adjacent the school)

This block matches the height of the school but should be limited to the height of surrounding dwellings not the school (whose height is adjusted to accommodate rooftop play) (**paragraphs 10.40-10.45**).

The facade onto the school clearly seeks to address the overlooking of the school which is right, however the resultant facade is very unattractive and lacks any articulation or refinement and clearly does not contribute to the conservation area (**paragraph 10.63**).

8.16 Height

The height of Block B is too high and would loom over Gresley Road properties (**paragraphs 10.46 and 10.278**);

Object to the size and massing of the proposals which would dwarf the houses on Ashmount Road and Gresley Road and are too close to Gresley Road properties (**paragraphs 10.40-46 and 10.177-181**);

The new buildings are much too high – higher than any in the area save the huge houses on Whitehall Park itself which does not in any way connect with the development. Elevations prove that block B will be significantly taller than any terrace in the area (certainly Gresley Road) (**paragraphs 10.40-46**).

Block C appears in the cross section to be higher than the buildings on Gresley Road, suggesting ground levels are to be raised, which is of significant concern (**paragraph 10.47**);

8.17 Ashmount Road Facing Design

Object to the 4 houses fronting Ashmount Road they appear taller than existing houses and project forward of the adjacent building lines of houses on Ashmount Road. The gardens of these houses are far too small (**paragraphs 10.31-33 and 10.40-45**);

The facade onto Ashmount Road of Block B has no quality of proportion or hierarchy as do the existing. The windows of the ground and first floors are significantly lower than the adjacent No1 Ashmount. Yet the ridge and eaves are much higher with the gables having no relationship in regard to scale. It is also considered that there is a lack of proportion, articulation and detail and an inconsistency in treatment if one considers the gabled elevations onto Ashmount and the quite different elevations of Block A and B onto the internal space (**paragraphs 10.40-10.45 and 10.55-10.61**);

The balconies onto Ashmount Road are inconsistent with the context and the possibility exists that these will be unsightly as they could be used for storage (**paragraph 10.57**);

The Islington Design Panel stated that the proposal would need sensitive elevational treatment and detailing if the new build and the existing terrace are to sit comfortably together. This has not occurred in the planning stage at all. Your Policy DM2.1 on design clearly states all forms of development need to be of high quality and to make a positive contribution to the local character and distinctiveness of an area. Greater onus for demonstrating this is required for conservation areas (**paragraphs 10.49 and 10.55-61**);

The proposed frontage is still noticeably forward of the existing building line by about 1m. The Victorian bays only protrude 590mm forward from the main building (**paragraphs 10.32-33**);

The recent inclusion of a dog-toothed brick detail to the frontage between ground and first floors when viewed alongside the existing adjacent housing merely adds another incongruous feature to an already long list (**paragraphs 10.58**);

8.18 Impact on the character and appearance of the Conservation Area

Objections quote the wording of Development Management policy DM2.3 and make the following statements: i) the scheme is not a successful contemporary rendition of

the existing terrace; ii) the roofline of Block B1 is significantly higher than the existing properties; iii) The height and position of windows is out of kilter with the existing terrace and the scale and monolithic appearance overwhelms the street; iv) the inclusion of 'faux' balconies / railings attached to windows are out of character to the area; **(paragraphs 10.24-10.73);**

The proposals do not accord with the Conservation Area Guidelines CA7 and that the proposal would cause substantial harm to the significance of the conservation area.

8.19 Materials

Request that the Council specify all materials to be used to avoid design erosion, including more detail regarding ground surface treatment, landscaping and fence details **(paragraphs 10.65 & 66 and conditions 10 and 39);**

Concerned that red brick and powder coated metal would not enhance or blend in with the homes in the local area **(paragraphs 10.65 and 66);**

8.20 Density

Distances between the proposed and Gresley Road properties adopts the minimum of 18 metre space. The space between Block A (4 storeys) and block B (3 storeys) is only 14m **(paragraphs 10.34-36);**

8.21 Trees and Landscaping

Object to the loss of and damage to trees, including concern that they will not survive the building work **(paragraphs 10.97 and associated tree protection conditions);**

It is not clear which trees along the boundary with Gresley Road will stay and which will go. We want to retain as much vegetation as possible as these go to the heart of security and privacy concerns and effect the nature of the conservation area **(paragraphs 10.99 and 10.100);**

I cannot understand how the level changes will enable trees to be protected nor how the proposed replacements will make good the significant felling you are allowing yourselves **(paragraphs 10.101-104, 10.110, 10.112-115);**

(Response to 1.25m movement of Block B2): Moving block B2 1.25 metres from the tree line will have minimal impact on the problems of what remains a congested region between the new development and the backs of gardens on Gresley Road. Many of the trees are large and will overshadow the new site (blocks B2 and C). This will ultimately result in pressure for their removal at a later date **(paragraphs 10.87, 10.104-107);**

The proposed foundations and in particular the drains will cut through the root protection areas risking killing the trees **(paragraphs 10.113 and 114).**

The submission lacks full landscape details such as a planting proposal and play space management and maintenance plan **(conditions 21 and 24);**

The missing tree (T35) has been found and added to the new tree survey. It is an important one as it is located very close to a corner of Block B foundations and is near the drain run. Its safe retention is key as it forms part of an important privacy screen at a point where overlooking between the development and 1 Ashmount Road would be at its worst. Yet, it seems the tree is under severe threat as the proposed foundations and drains run through its RPA (**paragraphs 10.113 and 144**);

Concerns that the trees on site are categorised as of relatively poor quality, especially when many are noted in the report to be in good condition (**paragraph 10.98**);

The tree protection barrier still does not seem sufficient given the proximity of large foundations and the fact that some RPAs extend beyond it. There is insufficient detail as to how trees would be protected from the impacts of proposed works (**paragraphs 10.110-112 plus associated tree protection conditions**).

Japanese Knotweed – there is a need to inform residents of Gresley Road - the plans to remove this in an appropriate manner. There are no clear plans as to how this will be dealt with (**paragraph 10.119**);

8.22 Impact on Nearby Residential Amenity

Nos. 12, 14 & 16 Gresley Road rear building lines appear to extend beyond that shown on the drawings submitted for planning, meaning that residents consider the development to be within 18m of the rear wall of these properties, and others along Gresley Road, contrary to Council guidance. Officer comment: amended plans were received updating the Gresley Road properties and moving Block B2 1.25m northwards. **Refer to paragraphs 10.169-174**;

Gresley Road properties are within 18m of Block B, resulting in unacceptable overlooking and loss of privacy **Refer to paragraphs 10.169-174**;

Object to the entrance to upper flats (entrance B1) from Ashmount Road. This will increase noise (**paragraph 10.158**);

Nos.1 and 2 Ashmount Road are sited well within 18m of Block B. Both houses have windows that directly face the proposed development including first floor windows, a ground floor glass roof, and full width glazed doors in no.1 and proposal-facing, glazed dormer cheeks and a kitchen floor to ceiling box-shaped bay in no.2 (**paragraphs 10.160-168**);

The Daylight/Sunlight assessment does not fully consider the impact of the proposal on the existing property at No.1 and fails to consider any impact on the rest of that terrace. For example a window in No 2 Ashmount Road directly facing the proposed Block B is within 18 metres and has been completely ignored in all surveys undertaken (**paragraphs 10.191 - 196**). This is further exacerbated with a front-facing first floor balcony in the development showing a side opening just a few metres from a bedroom in No.1 (**paragraph 10.162**).

The proposed Blocks B & C will form a solid barrier between the late-day sun and the rear of houses 1-3 on Ashmount Road as it lies directly due west. Officer comment:

The blocks sit north west of the rear of houses 1-3 Ashmount Road and therefore cannot obstruct sunlight.

8.23 Quality of Resulting Accommodation for Future Residents

The new homes are too small for the intended use (family units) – a consequence of overcrowding (**paragraph 10.120**);

The communal play area intended for an anticipated 44 child-age residents remains completely inadequate, 80sqm for 44 children or just over 1.5sqm each, falling below policy size. Further, reliance on use of the school's MUGA is proving fraught with logistical difficulties in particular how will the site be checked and cleared every morning for potentially dangerous objects (**paragraphs 10.150-154 and conditions 24 and 25**);

The proposed private outdoor amenity space for new residents is poor, very small in size and overshadowed by either existing mature trees or by the new buildings themselves. Amazingly, some flats continue to have been allocated a front garden on Ashmount Road for their private outdoor space. It is also unclear exactly how the developer will overcome the significant level changes to give new residents usable spaces (**paragraphs 10.128-149**);

Amenity space for Block A includes a 4.5m sliver located between a 4 storey building and a 2.5m high boundary fence. The overshadowing survey continues to treat the whole of the amenity space as one when in fact it will be sub-divided into private spaces and this will impact light levels (**paragraph 10.130**);

Two ground floor units in A1 have been designed for wheelchair access. Their 'private' outdoor spaces are located in the garden fronting onto Ashmount Road in an exposed location (**paragraphs 10.130 and 137**);

The combination of short rear private gardens allocated to Block B and the many retained mature trees along the SE boundary will result in poor quality amenity spaces here too with quality of light issues for new residents, affecting both garden areas and light levels inside their homes. Moreover, the Daylight/Sunlight reports supplied continue to ignore the impact of the retained trees on the proposal. (**paragraphs 10.141-142**);

The council's minimum amenity space for family units (30sqm) is not achieved for the upper maisonettes in Block B2 (**paragraph 10.140**);

8.24 Boundary Treatment

Retention of existing boundary planting plays a significant part in regard to quality of outlook, privacy and security. Request much more detail regarding what is proposed along the Gresley Road boundary in terms of tree removal, fencing, replacement planting and site levels (**paragraphs 10.110, 114, 169 and 173 including conditions 16 and 21**);

8.25 Sustainability

Raise concern that the degree of excavation proposed may have an effect on geological stability of the area, and query whether there would be any water table issues (**paragraphs 10.225-227 and condition 23**);

8.26 Parking

The development is to be “car free”, however this seems a somewhat misleading description. In reality this is a “permit free” development unless residents hail from within Islington and have already held a permit for at least a year. It can be expected that new residents, especially those with young children, will understandably feel the need for a car. With no provision on site (other than a few disabled bays) there will be parking issues arising in surrounding streets (**paragraphs 10.250-253**);

8.27 Construction impacts

Proposed hours of construction are unacceptable. Start time for weekday construction should not be before 8am (not 7am as suggested in the documentation) (**paragraphs 10.260-262 and conditions 7 and 8**);

8.28 S106 Items

More detail should be provided prior to the application being determined (e.g. highway reinstatement and removal of entitlement to parking permits) (**refer to Transportation section and Recommendation A**)

8.29 Other matters

Concerns that any asbestos found on the site be removed in accordance with statutory requirements (**paragraphs 10.260**);

Statutory consultation was undertaken during the summer break when a lot of people were away.

Residents serve their right to bring the matter to the Secretary of State and seek Judicial Review of any planning consent that fails to adhere to conservation and other policies.

Third consultation (Dec 2015): a number of objections state their significant concern at the timing of the “third” consultation. Suggestions that this suggests the council working in cahoots with the developers and that it is not truly democratic on the basis that the local residents will be away or not in a position to write objections around the proposal. One objection states that these tactics by the Council should fool no-one especially in the High Court.

Officer response: Complaints that letters were received 3 days late have been received, however the complainants making these statements sent in all objections via email, and those emails on file were sent email notification as well as letter. Emails would have been sent instantaneously.

Applicants Consultation Exercises

- 8.30 The applicant has carried out a number of their own consultation exercises and made statements within their documentation regarding changes to the design of the proposals to address feedback from residents during those exercises. Many objections have been received in relation to the inadequacy of the applicants responses, however the application is assessed by the Local Planning Authority based on its merits and these comments are not relevant to the decision making on this application.

External Consultees

- 8.31 **Historic England** advised they did not wish to offer any comments on the application and recommended that the application be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.
- 8.32 **Lead Local Flood Authority** provided no response, however a planning condition is imposed for an up to date scheme, reflecting the attenuation tank necessary and a management regime for the lifetime of the development which shall be consulted on to the LLFA.
- 8.33 **Metropolitan Police (Crime Prevention)** advised that they had been meeting and discussing the proposals with the applicant and considered that the scheme could achieve the Secure By Design accreditation and that they raised no objections as a result.
- 8.34 **Thames Water** raised no objections to the scheme, subject to a condition should impact piling be proposed and informatives relating to Thames Water consents relating to surface water drainage, groundwater etc.
- 8.35 **London Fire and Emergency Planning** There should be Fire Brigade access to the perimeter of the building(s) and sufficient hydrants and water mains in the vicinity. This Authority strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money save property and protect the lives of occupier.

Internal Consultees

- 8.36 **Housing Officer** raised no objections to the proposed mix or arrangement of units.
- 8.37 **Access Officer** objects to the proposed shared space / single surface treatment of the mews where vehicular access will be provided, on the grounds of safety of residents and visitors. Objection to the inclusion of bollards, object to the design of block B2 in terms of stepped duplexes being proposed over first and second floors (i.e. not be adaptable or visitable). Object to the provision of 4 on-site accessible

parking bays. Query ability to provide for mobility scooter charging points and accessible cycle parking.

- 8.38 **Design and Conservation Officer** are supportive of the general layout, disposition on site, bulk, massing and heights etc. I have no objections to slight changes in siting/layout as the main principles of how the buildings are laid on site have not been changed.

Block A Mews – the elevation works much better now, the building has its own identity which links to its different form (to block B mews). The proposed changes to fenestration provide a distinct elevational typology. Subject to detailing (deep window reveals, good quality windows and brickwork), raise no objections to this element of the proposals.

Block B Mews – The removal of the gables is positive and the use of the dormers as punctuating features provide a distinct character to the mews elevation (in contrast with the elevations fronting the street which retain the gables) and assist in articulating the long elevation of the mews. Changes were suggested of brickwork to the mews elevations. However, the architects have suggested the use of the same brick with a different mortar colour for the pointing. They have shown examples that demonstrate that this can be an interesting effect that provides the variation sought. This produces a more comfortable fenestration pattern as proposed. Also the subtle details such as the delicate break for the rainwater goods, the movement joints, the textured brick at ground floor, will all bring some interest to this elevation and provide articulation to the block.

Block B rear elevation – this elevation has also improved significantly. There is less blank areas of brickwork and there is a stronger fenestration pattern. It is appreciated there are only private views of this elevation but it is positive that it will now provide a better outlook to surrounding properties.

Blocks A & B Ashmount Road elevation – The front elevations have been improved with the addition of some subtle but effective detailing. Concerns previously raised about the proportions of the ground floor which have now improved with the addition of the brick datum detail between ground and first floor. The textured brick treatment to the gable ends is also positive and now provides a better entrance to the mews. The removal of the “hooded” dormers has provided a more coherent roofline and removed the competing emphasis of those structures allowing the gables to be the element of interest at roof level. The gables provide an interesting interpretation of the language of the surrounding context.

The DRP raised some concerns in relation to the use of artificial features such as fake chimney stack which has now been removed. Also, some concerns were raised in relation to the proportions of fenestration and how it links to the existing context. The proposed buildings, subject to appropriate detailing and materials, can provide an interesting contemporary interpretation of the surrounding historic environment but at the same time of a clear modern appearance as shown in the references provided.

In relation to the building line on the Ashmount Road elevation, there is a marginal difference in relation to the neighbouring terrace. However, due to the gap and the marginal projection, it is considered there is not a significant detrimental impact. The quality of the brickwork, roof covering, windows, doors, balustrades etc will be very important to ensure the scheme will deliver the quality referenced in the application documents.

- 8.39 **Energy Conservation Officer** has reviewed three iterations of Energy proposals from the applicant, and their final comments were that the applicant continues to discuss the viability of a Shared Heat Network with the adjacent school site. The CO2 offset amount was confirmed to be £96,734.
- 8.40 **Tree Preservation / Landscape Officer** initially recommended refusal of the application as a result of the i) proposed inappropriate and unjustified level of tree loss, ii) lack of consideration for trees proposed to be retained; iii) lack of appropriate mitigation; and iv) the juxtaposition between the development and the adjacent important/retained trees which, over time, is likely to result in post development pressure to excessively prune or fell those trees (which should be resisted).

Amended scheme and updated Tree Survey (December 2015): the Tree Officer maintains his recommendation for refusal of the application, however considers that points ii) and iii) previously raised and described above have now been addressed.

The objections therefore remain as: a) proposed inappropriate and unjustified level of tree loss, b) the juxtaposition between the development and the adjacent important/retained trees which, over time, is likely to result in post development pressure to excessively prune or fell those trees (which should be resisted).

- 8.41 **Public Protection Division (Air Quality and Noise Team)** raised no objections, subject to conditions being imposed relating to details of a final scheme of sound insulation to address noise (including from the adjacent playground / school) and a condition requiring details of a Construction Environmental Management Plan (CEMP).
- 8.42 **Spatial Planning and Transport (Transport Officer)** raised concerns that the level of cycle parking should be increased from 84 spaces (proposed) to 103 spaces as sought by policy, and sought 4 accessible cycle parking spaces also.
- 8.43 **Street Environment Division** requested clarification of storage and capacity initially but accepted the level of refuse and recycling storage and locations on further information receipt.
- 8.44 **Sustainability Officer** raised queries in relation to water usage, provision of water butts and composting facilities, green roof area and biodiversity enhancements. The applicant has agreed to provision of all of the above and conditions and s106 items to secure them.

Other Consultees

- 8.45 Members' Pre-application Forum – 23 February 2015.

- 8.46 Design Review Panel – The application was presented to the Design Review Panel on the 13th February 2015 when the scheme was at pre-application stage. At that time the Panel welcomed the coherence of the scheme, the strong logic of the plan for the site, and the relationship between the site and its surroundings. The Panel appreciated the constraints of the site and felt that the proposal was inventive in addressing these constraints. It highlighted that attention would need to be paid to the design of the Ashmount Road elevation as this was the primary public view.
- 8.47 The scheme was again viewed by the Design Review Panel on 14th October 2015 when the application was submitted. Picking up from the previous review, when the proposal was seen at pre-application stage, the Panel reinforced their support for the proposed massing and layout across the site. *However, panel members were not convinced that a full resolution had been achieved for the architectural treatment of the blocks.* This response is provided in full at **Appendix 3** to this report.

The Panel agreed that the scheme needs to be sensitive to the conservation area, but stressed that contemporary architecture can sit very comfortably in the area too.

Ashmount Road Elevation At pre-application stage, the Panel had highlighted the importance and complexity of the design of the Ashmount Road elevation as it would need sensitive elevational treatment and detailing in order to sit comfortably with neighbouring traditional buildings.

Although the Panel acknowledged the design team's attempts of picking up on elements of the surrounding context, generally, they did not feel that simply referencing or replicating some of the detail elements of the historic surrounding buildings worked well with the new language of the development. In addition the proposed replication of chimneys on the new building which would not have any function was queried by the Panel.

The Panel were concerned that the volumetric qualities of the existing buildings had not been picked up in the scheme and felt that three dimensional qualities when translated into two dimensional elements on the elevational composition lost their authenticity.

- 8.48 Officer response: The previously presented chimneys have been removed from the design proposals to address this concern.

The Design and Conservation Team Manager considers that the proposed buildings, subject to appropriate detailing and materials, can provide an interesting contemporary interpretation of the surrounding historic environment but at the same time has a clear modern appearance as shown in the references provided.

The blocks A1 and B1 fronting Ashmount Road do in fact house flats within them, and are designed with this in mind. The properties along Ashmount Road were designed as single family dwellings and the arrangement of fenestration will therefore present itself differently in terms of volumetric qualities.

The Design and Conservation Manager does not share the concerns raised by the DRP and considers subject to careful detailing (deep window reveals, including the treatment of the reveal as well as high quality window frame finishes), the

fenestration patterns of the proposal would work within the elevations. This is further considered in the Design Section. Further to this, the architects, PTEa have a track record of delivering high quality schemes that are of simply contemporary design and therefore a planning condition is recommended to secure their ongoing involvement in the build and construction process of this scheme in order to maintain a high quality design ethos (**condition 37**).

Mews elevation – Block A: The Panel felt that the mews elevation to Block A had a simplicity and robustness which worked better than the proposed elevation to Block B. They felt the fenestration generally worked on this block given its massing and height. However, concerns were raised in relation to the junction with the front part of the block, in particular the transition at roof level.

- 8.49 Officer response: The applicant, in response to these comments redesigned the junction at roof level of Blocks A1 and A2 as can be illustrated in the comparison images below. This concern has been addressed. This also illustrates that the chimneys, also a concern to the DRP have been removed.



Current proposal Block A2 and A1 (above)



October DRP presentation Block A2 and A1 (above)

Mews elevation – Block B Panel members weren't as supportive in relation to the treatment of the mews elevation to Block B. Concerns were raised about the proportions of the ground floor which appeared squat; the fenestration treatment which lacked coherence and vertical emphasis; and the roof form, in particular the gable ends, and the detail of how the proposed dormers related to the parapet.

The Panel felt that the elevations lacked conviction and were overly complicated in attempting to replicate architectural elements from Ashmount Rd in particular the gables. The panel thought it might be more appropriate to look at the precedents of historic London mews which tended to be architecturally modest. The panel suggested that details should be incorporated to break down the mass and to create

a well-defined rhythm. They suggested the design team revisit the elements on the roof, the pattern of fenestration, the proportions of the ground floor, the detailing and perhaps colour and quality of the brickwork. The Panel suggested exploring the use of architectural features, such as downpipes, to assist in defining a rhythm.

- 8.50 Officer response: The following changes were made to the internal mews elevation of this block (images of that presented to DRP and current proposal provided below): The gable elements were removed, plot widths were more clearly illustrated by way of changes to window proportions and groupings, and introducing recessed rainwater pipes to express a further 'plot' division. These changes also helped to bring more of a vertical emphasis and coherent window treatment. The ground floor was given more emphasis by adding textured brickwork to frame entrances and align that textured treatment to window alignments above. The proposal now seeks to utilise a lighter mortar colour for the mews elevation, which has the effect of lightening and differentiating between the front blocks and the mews and this treatment (subject to condition) is considered by officers to address the DRP request for further consideration to colour of the brickwork. This elevation is now considered to be much more successful and is supported by the Design and Conservation Officer (as per **paragraph 8.39**).



October DRP presentation (Mews Facing Elevation)



Current Proposal (Mews Facing Elevation - Above)

Surface treatment, landscaping and trees: Panel members sought clarification in relation to the landscaping materials. They strongly encouraged the design team to maintain a single pavement material with subtle demarcation of different areas. They were of the opinion that keeping uniformity was very important and felt that details such as bollards, lighting etc needed to be carefully thought about and to ensure they were properly integrated into the landscaping scheme and architecture. They also drew attention of the design team to the importance of considering water drainage management as part of the detailing and the potential inclusion of garden swales.

- 8.51 Officer response: The applicant, within their November 2015 Design and Access Statement Addendum confirmed that a single surface treatment would be brought forward. It is considered that this level of detail would be best refined within an updated Landscape Plan, amending the standard landscape condition wording in order to secure the details specifically mentioned by the panel (**refer condition 21**).

Panel members thought the tree loss was unfortunate, but felt that it had been minimised as much as possible and were happy to see that replacement trees were proposed. They stated that the biodiversity loss by the loss of a mature tree and replacement with a young tree should be mitigated by the provision of green roofs for example. The Panel stated that planting maintenance needed to be carefully considered and responsibilities clearly defined.

- 8.52 Officer response: The above comments are noted from the DRP and since the scheme was presented to the DRP an updated Tree Survey and a revised Block B layout has been provided to improve the relationship between trees. Furthermore, greater detail of tree replacement and canopy replacement has been provided, with further detail in the Tree Section of this report. Green roofs are proposed above Block A2 and part of A1 as well as bird and bat boxes to be installed within the development.

Summary: The Panel reiterated their commendations from pre-application stage in relation to how successfully and inventively the design team had worked within the constraints of the site in resolving the massing and layout of the proposed scheme. However, the Panel felt that the scheme had not yet realised its full potential to be a high quality development, and that further work was necessary in resolving its architectural treatment in particular in relation to the Ashmount Road elevation and the internal mews elevation of Block B.

- 8.53 Officer response: see comments provided within the text above and further assessment under the Design and Conservation Heading of the report.

RELEVANT POLICIES

- 8.54 Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

National Guidance

- 8.55 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 8.56 Since March 2014 Planning Practice Guidance for England has been published online.
- 8.57 Under the Ministerial Statement of 18 December 2014, the government seeks to increase the weight given to SuDS being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required

(as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).

8.58 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via

- Written Ministerial Statement issued 25th March 2015
- Deregulation Bill (amendments to Building Act 1984) – to enable ‘optional requirements’
- Deregulation Bill received Royal Assent 26th March 2015

Development Plan

8.59 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Planning Advice Note/Planning Brief

8.60 A Planning Brief for the Ashmount Primary School site (2012) was adopted in June 2012. The guidance states that the existing school building was not capable of being refurbished to meet current educational needs. It supports the re-development of the site for community uses, the provision of housing maximising family and affordable housing and seeks to secure the inclusion of publicly accessible open space within any scheme as well as to maintain the number and quality of trees on the site. Further detail on this is given in the land use section.

Designations

8.61 The site has the following designations under the Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Whitehall Park Conservation Area
- Site Allocation OIS10
- TPO No. no: 325 (2007)
- Locally Listed Building

Supplementary Planning Guidance (SPG) / Document (SPD)

8.62 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

9. ENVIRONMENTAL IMPACT ASSESSMENT

9.1 EIA screening application was submitted, reference P2015/0520/EIA to seek clarification as to whether the development was an Environmental Impact Assessment development. This was determined on 19/10/2015. The site area is

significantly below the threshold size limit and whilst the scheme could be considered 'urban development project falling within category 2 development, the site area and scheme characteristics including location of the site is not considered to be particularly sensitive justifying the scheme as an EIA development. In accordance with the 2011 Regulations, no environmental statement was required with this application. This has been confirmed in a screening opinion letter 19th October 2015.

10. ASSESSMENT

Background

- 10.1 The application site contains part of the locally listed Ashmount School buildings (the Infants Block) a caretakers house, small school buildings and storage sheds, a small substation in the south east corner and areas of hard standing associated with the school.
- 10.2 Planning consent was granted in 2009 for the development of the new Ashmount school at the former Ashmount recreation centre and Bowlers nursery which is about 800 metres walking distance to the east and this opened in its new building in January 2013. In January 2012 the Council's Executive agreed that the Council apply to the Secretary of State for the relevant consents to declare the application site 'surplus' to educational requirements.
- 10.3 A Planning Brief for the entire site (north and south) was adopted in June 2012 to guide future development. The Planning Brief's key objectives were: to provide new homes with at least 50% affordable housing;
 - to ensure that all new buildings are of a high quality design which contributes to the character of the Conservation Area and are an appropriate scale and massing for the surrounding context; and
 - to maintain the number and quality of trees on the site
- 10.4 These decisions were dependent on the Secretary of State for Education giving approval for the disposal of the site as being surplus to current and projected educational requirements. The Secretary of State, however, indicated that consent would not be granted for the planned disposal as the site was needed by the Whitehall Park Free School and Bridge Integrated Learning Space Free School (BILS). Following extensive negotiations between the Council and Education Funding Authority (EFA) agreement was reached to transfer the northern section of the former Ashmount School Site to the Secretary of State for use by Whitehall Park Free School and for BILS to share new premises to be constructed at Dowrey Street with the New River PRU.
- 10.5 The Secretary of State took a transfer of the site in July 2014 for use by Whitehall Park Free School. The Secretary of State also agreed that the Council could dispose of part of the former Ashmount School site to a third party for housing development. In early October the Ashmount Site Action Group (ASAG) applied for a judicial review of the Secretary of State's decision to grant the Council consent to dispose of the former Ashmount School site. The council could not complete the sale of the

retained land for affordable housing purposes until the outcome of the judicial review. However, this legal challenge was subsequently unsuccessful.

- 10.6 The retained land (subject to this application) is currently leased to the Secretary of State for use by the Whitehall Park Free School until such time as the new school is developed. The Whitehall Park Free School opened in September 2014 and is currently occupying two temporary buildings on the site (granted permission by application P2014/1754/FUL) whilst works take place to implement the consent granted for a new school building dated 17 December 2015. Islington and Shoreditch Housing Association (ISHA) was confirmed as the developer for the southern site by Islington's Executive Committee on 27 November 2014.

Loss of education use

- 10.7 Policy DM4.12 relates to the protection of social infrastructure and states that no loss or reduction will be accepted unless a replacement facility can be provided on site or that the use is no longer required on site. The proposed loss of education use on the site and replacement with housing follows on from a number of previous planning applications and decisions for the wider site (north and south), most notably application P082526 to relocate Ashmount school to its new site on Crouch Hill recreation ground and application P2015/1089 for the new Whitehall Park school on the north of the site. Related to this was the agreement of the Secretary of State that this southern part of the wider Ashmount School site could be designated as surplus to education requirements and that the Council could dispose of this part of the site to a third party for housing development. Accordingly, the northern part of the site will remain in educational use which will meet the needs of the local community and comply with the requirements of Policy DM4.12. The loss of education use is therefore accepted.

Demolition of Buildings within a Conservation Area

- 10.8 On the 1st October 2013, the Government brought in (under various legislature made under the Enterprise and Regulatory Reform Act 2013 (ERRA)) the removal of Conservation Area Consent requirements.
- 10.9 This legislation abolishes the need for conservation area consent where a full planning permission application is made under the Town and Country Planning Act 1990; and consequently the demolition of unlisted buildings in conservation areas will no longer be permitted development under Part 31 of the GDPO (General Permitted Development Order).
- 10.10 The former Ashmount School buildings were designed by Cadbury-Brown and comprise three principal buildings, the four storey main school building (the Junior block) in the north of the site, fronting Hornsey Lane; the double height Assembly Hall block in the north east of the site, on the corner of Hornsey Lane and Ashmount Road and the two storey Infants' Block which lies in the southern part of the site and falls to be considered within this application.
- 10.11 The three main school buildings, which were built between 1954 and 1956 and the cockerel sculpture, by John Willatts, were locally listed in 1999. The primary significance of the buildings is in their overall form, the method of construction and

the use of an all glass curtain wall system. Buildings in the southern part of the site, (including the Infants' Block), are considered of lesser significance than the junior school in the north of the site.

- 10.12 The application is accompanied by a Heritage Impact which assesses the impact of the proposed development in terms of the demolition of the existing school buildings on the southern part of the site and the impact of the proposed residential scheme on the surrounding Whitehall Park Conservation Area and two locally listed properties, for which the site provides a setting.
- 10.13 The report to Planning Committee for P2015/1089/FUL concluded that for that proposal, the loss of the existing Ashmount School would cause less than substantial harm to the designated asset. The continuation of the education use ensures that there would be less than substantial harm as the replacement Whitehall Park school building will provide a school facility which is better equipped for modern education standards. To that extent, the principle of the loss of the locally listed existing buildings on the northern part of the site has already been established and agreed and this will act as a material consideration in looking at those parts of the building within the local list which also fall within this application site.
- 10.14 Specifically in relation to the part of the former school building that lies within this application site (the Infants' Block), its demolition is considered to be acceptable on the basis that it is of low architectural, historic and technical significance and the other school buildings in the south of the site are of no particular architectural merit, therefore making a neutral at best contribution to the conservation area. This conclusion has been reached in conjunction with consideration of the material considerations of the previous planning permissions granted at the northern part of this site. As was accepted within the planning permission for the northern part of the site, it is recognised that a proposal which aimed to retain and repair the Infants' Block in order to bring it back into sustainable use would result in the further loss of the fabric which gives it its locally listed significance. In this regard, the buildings on this particular application site are not considered to be of such merit so as to warrant their retention for purposes of protecting the character and appearance of the conservation area and therefore, their loss, provided the replacement buildings are of an acceptable design (assessed further on in this report) is compliant with the NPPF and policy CS8 of the Islington Core Strategy (2011), and policy DM2.3 of the Islington Development Management Policies (2013). Furthermore, in order to prevent this site becoming a gap site, a planning condition is recommended requiring a contract for redevelopment to be entered into prior to first demolition of any of the buildings from the site (**condition 3**).
- 10.15 In relation to the temporary portakabin school buildings on the site, these have been granted temporary planning permission and were only considered acceptable in design terms due to their temporary nature. The removal of these buildings from the site is necessary by planning conditions to the temporary consent and their loss is therefore desired and entirely supported in design terms. A single storey brick building is also located close to the frontage of the site slightly set in from the boundary with 1 Ashmount Road and houses a substation.

Proposed land use as Housing

- 10.16 A Planning brief was adopted for the site in June 2012 with the purpose of guiding future development on site. This identified that once the existing Ashmount School had moved to its new premises, and then the site would be surplus to requirements. The specific development objectives of the Planning Brief were to: provide new housing, including affordable housing and family housing, to meet housing needs in Islington. Ashmount School is also allocated as site OIS10 in the Site Allocations DPD (2013) and is identified as suitable for residential purposes, primarily family housing, community uses and the creation of a new publicly accessible open space. The proposed use is therefore wholly in line with the objectives of the brief and the site allocation.
- 10.17 From a policy perspective, CS12 is supportive of the provision of new housing in order to meet the pressing need for new homes in the borough. The use as residential is also consistent with the wider residential uses in the area and the prevailing character of the conservation area.

Design, Conservation and Heritage Considerations (including Archaeology)

- 10.18 Policy context: London Plan (2015) policy 7.8 states that development affecting Heritage Assets should conserve their significance by being sympathetic to their form, scale, materials and architectural detail.
- 10.19 The Development Management Policies mirror the core principles of the NPPF and the London Plan. Policy DM2.1 'Design' requires all forms of development to be of high quality and to make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. The policy states that permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.
- 10.20 Development should: improve the quality, clarity and sense of spaces around or between buildings; repair fragmented urban form; respect and respond positively to existing buildings, the streetscape and the wider context, including local architectural language and character, surrounding heritage assets and locally distinctive patterns of development and landscape; reinforce and complement local distinctiveness and create a positive sense of place; provide a good level of amenity including consideration of over-dominance.
- 10.21 Development proposals are required to demonstrate, through the use of detailed, clear and accurate drawings and Design and Access Statement how they have successfully addressed the following elements of the site and its surroundings: historic context, such as distinctive local built form, significance and character of any heritage assets, scale and details that contribute to its character as a place; urban form such as building lines, frontages, plot sizes and patterns, building heights, storey heights and massing; architectural and design quality and detailing including colour, type, source and texture of detailing and materials used; movement and spatial patterns such as definition, scale, detailing and surface treatment of routes and spaces; natural features such as topography, trees, boundary treatments planting and bio-diversity; visual context such as skylines and silhouettes and scale

and form of urban compositions; an understanding of the significance of heritage assets that may be affected.

- 10.22 Development Management Policies (2013), policy 2.3 'Heritage' sets out the considerations for considering harm to a conservation area. The most relevant aspects of that policy to this application states:

A. Conserving and enhancing the historic environment

Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance. Development that makes a positive contribution to Islington's local character and distinctiveness will be encouraged.

B. Conservation areas

i) The council will require that...new developments within Islington's conservation areas and their settings are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance. Harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Substantial harm to the significance of a conservation area will be strongly resisted.

iii) The council will resist the loss of spaces, street patterns, views, vistas, uses, trees, and landscapes which contribute to the significance of a conservation area.

- 10.23 The following is taken from the Whitehall Park Conservation Area Guidelines (with underline emphasis added):

The conservation area lies immediately below the Highgate-Hornsey Ridge (along which runs Hornsey Lane) and slopes considerably, falling from north to south. The oldest parts have many large mature trees and good younger trees on both public and private land which enhance the quality of the environment. The streets south of Hornsey Lane were laid out as a late Victorian residential estate and tend to fan out slightly, following the contour pattern of the slope.

The area includes a variety of residential properties with differing architectural qualities and styles.

Whitehall Park contains the grandest houses with the best views, mainly large 3-storey, late Victorian, red brick terrace properties with Westmoreland slated mansard roofs, cast iron decorative railings and gabled dormer windows and, on the end houses, significant turrets. Gladsmuir and Harberton Roads consist of similar, but less grand houses than Whitehall Park. The properties on these three streets are of exceptional architectural merit.

- 10.24 A number of other streets are specifically described in terms of architectural detailing, but Ashmount and Gresley Roads are not specifically mentioned in terms of architectural character, or being of specific or exceptional quality or importance to the character of the conservation area.

- 10.25 Submitted Information: The applicant submitted a topographical survey to address residents and officer requests. The changes in level as set out in within this report are taken from that survey. Additionally, an updated Tree Survey was submitted at various points during assessment, the last update was provided as entry had been obtained to the trees that were previously labelled as group G4. Whilst objections have been received against the detail of the site survey and levels, assessment has been made comparing the existing site levels to the proposed levels shown either on elevations, cross sections or site layout plans of the proposal. Additionally, no support is given for level changes beneath the canopies of protected trees (except for hand digging for services – explored later in the report).
- 10.26 Assessment: The site has a change in level across the site of 5m across the northern boundary of the site (moving from 87.5 in the west to 82.4 in the east) and 6.5m across the southern boundary of the site (moving from 87.6 in the west to 81 in the east) meaning the western part of the site is a higher ground level than the Ashmount Road part of the site.

Site Layout

- 10.27 The layout of buildings within the site is informed by the site's shape, with the blocks within the site labelled as set in the proposal section of this report. Whilst the proposed site layout does necessitate the removal of a number of trees from the site, trees are retained along the site boundaries. The provision of back to back gardens is obviously typical of London townscape layouts and typical of the conservation area character.
- 10.28 During the consideration of this application, the positioning of block B2 (and the rear of Block B1) was moved 1.25m to the north to increase the distance to the southern boundary of the site. This move was made in relation to reducing tree impacts and also to increase the separation distance between the block and both 1 Ashmount Road and the properties fronting Gresley Road. Further details on this relationship with these and other trees is provided within the Tree Section of this report.
- 10.29 The Design Review Panel (DRP) in its initial review (February 2015) and within this most recent review (October 2015) commended the site layout of the proposal stating its appropriateness. Furthermore, the Design and Conservation Officer also considers the site layout to be appropriate.
- 10.30 Further consideration of layout and relationship to adjoining properties is provided in the 'Impact on Adjoining Residential Amenity section', however the relationship in these regards is considered to be acceptable.
- 10.31 Ashmount Road building line: The building line of block A1 would sit forward 5.6m of the recently approved Whitehall Park school building, which is deliberately set back from Ashmount Road in order to safeguard protected trees along the Ashmount Road frontage and to provide children's playspace directly accessed from the classrooms that front Ashmount Road. It is not unusual for public or civic buildings to have a different building line to others in the surrounding area. Whilst this would leave a degree of Block A1's northern elevation visible within the streetscene in views down Ashmount Road, it would not be an unusual end of terrace appearance.

Condition 11 is recommended in order to secure a textured treatment to this end flank given its visibility within the streetscene.

- 10.32 Block B1 sits forward (800mm) of the adjacent properties on Ashmount Road (i.e. 1 Ashmount Road). It should be noted that the slight projecting bays of 1 Ashmount Road project close to the proposed Block B1 building line.
- 10.33 Objections have been received against the building line of blocks A1 and B1 with objectors stating they contravene adopted policy and conservation area design guidelines. Whilst the building line of the proposed blocks are not uniform with the adjoining buildings they do not deviate significantly from the adjoining properties (in particular 1 Ashmount Road) and the differences would in no way overwhelm the setting of the adjoining properties. This view is also shared by the Design and Conservation Officer. Furthermore, as stated above, the DRP raised no objection to the site layout of these blocks. In this regard, the building line is not considered to conflict with policy DM2.1Bii).
- 10.34 Layout within the site: The layout provides a separation distance between blocks A1 and B1 (internal to the site) of 4.6m. These blocks mark either side of the entrance into the site, with only block A1 containing windows facing into the entrance so as to prevent mutual overlooking.
- 10.35 The separation distance between blocks A2 (private tenure) and B2 (social rent tenure) ranges from 11.4m (western most point) to 13m eastern most. Whilst these distances fall short of the guideline separation distance of 18m between habitable room windows, this distance is not an unusual one within mews developments throughout London. Additionally, this is not a distance imposed on existing residents but a relationship future residents can decide whether to move into or not.
- 10.36 The separation distance between block B2 and the properties along Gresley Road, as addressed above, was increased through amendments to the scheme and now exceeds 18m in all instances (refer to neighbour amenity section for further detail).
- 10.37 In terms of site layout in relation to 1 Ashmount Road, Block B1 is located a greater separation distance away than the established layout of the Ashmount Road terrace. For example, numbers 2 and 5 Ashmount Road have a separation distance of 4.6m between their first floor rear projections. Between proposed Block B1 (rearward projection) and 1 Ashmount Road the separation distance is 9.5m (double the distance). Whilst the proposal also introduces a mews length beyond the established layouts in the area, gardens of the size provided are not uncharacteristic in London. Indeed, the DRP, a group of independent architects raised no concerns with the site layout and neither the Design and Conservation Officer.
- 10.38 Block C located in the west of the site would be excavated into the higher ground level (in this part of the site) and would be located between 15.3m and 17.3m from the properties at 26 and 28 Gresely Road to the south. It should be noted that a planning condition (**condition 13**) is recommended in order to remove permitted development rights from these houses so as to prevent any further extensions to be carried out without planning permission first being secured. This is to ensure any overlooking, impact on trees or other impacts can be considered via the planning process.

- 10.39 The site layout is logical and efficiently uses the site, reflecting the general built form of the surrounding area.

Height and Massing

- 10.40 The proposed development would include buildings (Blocks B1, B2 and C) of 3 storeys height and buildings of 4 storeys in height (Blocks A1 and A2). In terms of Block A1 and A2, these would stand adjacent to the recently approved Whitehall Park School building which was consented at 3 storeys, or 12.4m in height, closest to Block A1.
- 10.41 Block A1, measured from ground level next to the boundary shared with the school would stand at 12.4m tall to the top of the mansard style roof. Block A2, further back into the site would stand at 13.5m in height, however this block would be largely screened from view from Ashmount Road by the adjoining school building (only the flank of Block A1 would be visible).
- 10.42 Ashmount Road contains a variety of building styles, including Caroline Martyn House that has 3 floors plus a steeply pitched roof accommodating a fourth floor of accommodation opposite the school site. In this regard, the proposed height of Blocks A1 and A2 are contextually suitable and fit in with its immediate surroundings.
- 10.43 Block B1 standing next to 1 Ashmount Road is designed as a 3 storey building, containing flats. Objections have been received against the height of this building, being taller than 1 Ashmount Road, stating that there is no relationship to parapet or roof height. Proposed block B1 does not attach to the terrace, it stands separate to it.
- 10.44 The red brick parapet of Block B1 in fact exactly matches that of the brick parapet of 1 Ashmount Road, both standing at 7m in height. Whilst the proposal utilises a mansard roof style as opposed to a pitched roof as is the case at 1 Ashmount Road, the proposed Block B1 would stand at 10.7m compared to 9.4m to roof ridge of the adjoining terrace. Given that this proposal is for a building that accommodates flats, and is separate to the terrace, there is opportunity for a building to take a slightly different character. There is a relationship to the parapet and roof height, whilst not an exact match. Stepping up of parapets and roof levels is a character of Ashmount Road, on both sides and given this is a separate building is not considered to be harmful or unacceptable at 1.3m overall height difference.
- 10.45 On the opposite side of Ashmount Road different terrace properties stand next to each other, each with a slightly differing height, plot width and proportions, and this is not an unacceptable relationship, but one that works, characterising the variety of architectural styles within this conservation area. Whilst there may be a difference in height, the difference is not significant and occurs elsewhere between buildings of different styles standing next to each other. This marginal difference is acceptable, and furthermore helps mark a step between the 4 storey Block A1 to the 3 storey Block B1.
- 10.46 Block B2 extending along the southern boundary of the site is proposed as a 3 storey building. It measures from ground or finished floor level to the eaves level as 7.6m, and measuring to the top of the pitch as 10.4m in height. The properties along Gresley Road are also 2 storeys with a pitched roof in which rear dormers are a

strong character, utilising the roof space equating these to 3 storey buildings. Block B2 therefore is entirely an appropriate height for the surrounding context.

- 10.47 Block C is also a 3 storey building, with the ground floor sunk into the ground level. From the existing boundary site levels between this Block and Gresley Road properties, 2 storeys would be visible, although the lower of these two floors would be screened due to boundary fencing. This height is therefore appropriate and considerate of the levels within the site, the levels on the boundary and the need to reference nearby building heights as well as the slope of the site.
- 10.48 The DRP confirmed their support for the height and massing of the proposed development in their most recent response, dated 4 November 2015. In this regard and considering the descriptions above, the site layout and height and massing of the proposal take reference from the surroundings and are sympathetic and contextual, in accordance with the requirements of planning policy that also seek an understanding of the context including historic context of a surrounding area when formulating design proposals. Policies DM2.1 and DM2.3 are considered to have been addressed and adhered to in this design.

Plot Sizes and Patterns:

- 10.49 Objections have been received stating that the proposed Blocks A1 and B1 do not respect the established plot widths of the adjacent terrace. Proposed blocks A1 and B1 would not accommodate a single family dwelling house each, but accommodate a number of flats (two per floor, meaning that the plot widths will not entirely match those of the adjoining terrace. The buildings are stand alone and do not attach to the terrace. There is subtlety in the elevations of these blocks, with one 'plot' established by the lower parapet height directly adjacent 1 Ashmount Road. The remainder of Block A1 could then be considered to be rear as two halves reflected mid-way between the gables, but as this block accommodates flats, it is more difficult to reflect this in the architecture. However fenestration patterns, the front door, the break in the low brick wall front boundary treatment all serve to help in this expression. In this regard, the design with respect of plot widths is not considered to be harmful to the streetscene and is considered to express itself, however much more subtly than the Victorian detailing of the block adjacent.
- 10.50 Block A2: this block is a flatted block and therefore expression of plots is not appropriate.
- 10.51 Block B2: Paragraph **8.50** of this report provides comparative images of the internal mews elevations of Block B2, which was previously criticised by the DRP of failing to reflect plot widths adequately. Detailed design changes were made to the elevations so as to provide a greater break down of plots (addressed at **paragraph 8.50**).
- 10.52 To the rear of Block B2, whilst no DRP criticism was raised in relation to plot widths, a number of objections have been received on the basis that the elevation is monotonous and is not broken down sufficiently. The slope of the site is reflected in the slight stepping of the building down in height from west to east which does provide some visual breaking down of the massing. Whilst officers did seek for further illustration of plot size to be illustrated in this elevation, the general arrangement of the blocks internal layout makes it difficult on this elevation as the

ground floor level stepping does not equate to the parapet stepping, in order to accommodate the unit layouts internally. This would not be noticeable on this elevation due to the boundary treatment screening the ground floor level entirely from views. From initial submission however slight improvements to window groupings have helped provide a better rhythm, to break down the elevation. In this regard, whilst it is not ideal, this elevation is not offensive and could not be considered to be harmful to the appearance of the area, subject to careful material selection and detailing.



DRP October Block B2 and B1 elevation (south – facing Gresley Road properties) which remains the same as currently proposed.

- 10.53 Block C: consists of four houses and the plot widths express the internal layout of each unit. This expression of plot width is appropriate and acceptable.

Architectural Detailing

- 10.54 The various blocks throughout the site have a commonality to architectural detailing, yet each block has its own individual appearance to reflect the differences in the number and type of units each contain (i.e. Block C is a row of houses, Block B flatted buildings) and also that reflect the different height and scale of buildings.
- 10.55 Blocks A1 and B1: Numerous objections have been received against the quality of the façade design of these blocks. Objections claim that they: “have no quality of proportion or hierarchy as do the existing. The windows of the ground and first floors are significantly lower than the adjacent No1 Ashmount Road. Yet the ridge and eaves are much higher with the gables having no relationship in regard to scale. It is also considered that there is a lack of proportion, articulation and detail and an inconsistency in treatment.
- 10.56 The fenestration patterns of Block B1 don’t match with the heights of those in the adjoining terrace. This is brought about as a result of the finished floor levels being set to minimise the height of the block and secure level access (as required by planning policy), the finished floor level is set to minimise the blocks height. The eaves height does however match 1 Ashmount Road. The overall building height is 1.3m taller than the terrace, but accommodates a full height, modern compliant floor to ceiling height, which the utilisation of loft spaces do not. Whilst the non-matching of window heights is not ideal, as nothing about the elevations of Blocks B1 and B2 is designed to replicate exactly the adjoining terrace, the lack of alignment is more easily accepted, particularly as the building is clearly a flatted building rather than a single family house.

- 10.57 The proposed balconies facing onto Ashmount Road at first floor level in both blocks A1 and B1 have been objected to as being inconsistent with the surrounding context. Additionally objections on the basis that these may become unsightly as they could be used for storage have been raised. Whilst it is true, that balconies do not feature in traditional Victorian terraces in the surrounding area, they have been designed as recessed balconies and could be seen as similar to the accessways within Carolyn Martyn House. The balconies are required in order to achieve the appropriate amenity space standards for these upper units. Furthermore, the Conservation Area Guidelines do allow for use of modern materials such as glass and steel provided they complement the appearance of the area. In this regard, the proposed development is a modern style and the recessed balconies are appropriate to that overall design ethos. Had the balconies been projecting, these would not have been supported at all, but being recessed, they are not highly visible in the streetscene and are appropriate and anticipated on modern buildings. Recessed street facing balconies are accepted within Conservation Areas as recognition of the balance between design and amenity requirements are commonplace.
- 10.58 The blocks are considered to have a clear bottom, middle and top, but more subtly conveyed, without any of Victorian detailing, the methods for distinguishing bottom, middle and top are very subtle. They include relying on the parapet line to match the adjacent (which it does) to mark the top of the middle and utilising the modern gables to mark the top with the mansard roof sitting behind. Furthermore the window placement and groupings at each floor also subtly mark the change as you move from bottom through middle to top. The textured brick detail now letter marks the base including utilising a slightly greater number of windows to emphasis the base. Whilst these are of contemporary design, they still achieve this aim, with the brick detailing requested by the Design and Conservation Officer.
- 10.59 The Design and Conservation Officer has given their view of this elevation at **paragraph 8.38**. They consider that the *“front elevations have been improved with the addition of some subtle but effective detailing. I had previously raised concerns about the proportions of the ground floor which have now improved with the addition of the brick datum detail between ground and first floor”*.
- 10.60 There is no requirement to replicate the adjoining buildings in every sense. The DRP did acknowledge that the design had been informed by picking up on existing elements within the surrounding context. As can be seen further up Ashmount Road adjacent to Carolyn Martyn House, a building of slightly greater scale, mass and fenestration patterns, with simple design can also sit harmoniously next to a more detailed Victorian building. These buildings have a greater degree of solid compared to void and yet work well within the street context.
- 10.61 It is also incorrect to entirely compare the detailing of these proposals to the adjoining terrace, as the terraced row does represent a single property behind. Blocks A1 and B1 house a number of flats on each floor, and therefore defining these vertically would not match with the detailing of the adjacent terrace. In this regard simple treatment has been provided.
- 10.62 Flank mews entrance walls: The textured brick treatment to the gable ends (Blocks A1 and B1) is also positive and now provides a better entrance to the mews. The

removal of the “hooded” dormers has provided a more coherent roofline and removed the competing emphasis of those structures allowing the gables to be the element of interest at roof level.

- 10.63 Block A2 (school facing elevation): an objection has been received stating that the school facing elevation has been designed to minimise overlooking (rightly) but that this results in an elevation with poor articulation or refinement. The ground floor won't be visible due to boundary fencing. The top floor is articulated by a different material (Riven edge slate) which will articulate the top differently. Whilst this would leave two floors of minimal glazing, this elevation will not be visible from public view points within the conservation area, being obscured from view by the school building itself. Given the reason for its design is to minimise overlooking of the school, for this reason, in this particular instance, the elevation is considered acceptable and not to unduly harm the character of the conservation area.
- 10.64 Block B2: objections have been received against the design of the dormers. The proposed dormers are internal to the site and no public view of them will be achieved external to the site. In any event, the architects have provided precedent images of where these have been constructed previously and they appear as high quality, crisply designed modern design that would also relate very well to the design of the internal mews. Whilst this type of design would not be supported as an extension to an existing Victorian terrace property, that would be because their design would not accord to the traditional style of a Victorian terrace. In this context, on a modern building design the dormers are considered high quality design, modern but with use of traditional materials helping a modern design blend through traditional material choice into the established conservation area character.

Materials

- 10.65 The proposal is to be constructed of traditional materials that are found within the surrounding context and wider Whitehall Park Conservation Area, and therefore accord with Conservation Guidelines and Design and Conservation policies DM2.1 and DM2.3. Powder coated aluminium window frames are appropriate on contemporary buildings that are referencing nearby buildings but not replicating them. Further they would be set within recessed window openings. They include:
- a) Red brick throughout;
 - b) Colour matched pigmented mortar to the bricks to be used on Blocks A1 and B1;
 - c) Lighter pigmented mortar to be used on Blocks A2, B2 and C;
 - d) Riven Edge Slate;
 - e) Dog-toothed brick detail between the ground and first floors (to support visual proportioning and the hierarchy of the façade) on Blocks A1 and B1;
 - f) Textured brickwork to highlight entrances and the gable ends of Blocks A1 and B1;
- 10.66 Whilst objections have been received to the degree of red brick used within the scheme, which initially was a concern to the Design and Conservation Officer, red brick does feature within Ashmount Road and throughout the conservation area. The scheme as stated above will utilise differing mortar colours which can dramatically alter the boldness of the red and is to vary internal to the site compared to the

Ashmount frontage. Use of this subtle yet effective technique is considered to soften the degree of red and result in a high quality resulting appearance. **Condition 10** secures this detail, including a sample panel to be constructed on site for approval.

Impact on the Character and Appearance of the Whitehall Park Conservation Area

- 10.67 It is important to note that the Conservation Area Guidelines describe the Whitehall Park Conservation Area as including “*variety of residential properties with differing architectural qualities and styles*”. In this regard, along Ashmount Road, there are differing building styles also. There is the Caroline Martyn House in the north eastern side of the road, at a raised three storeys with a tall sloping roof, bringing it commensurate to a 4 storey building. Next to this is a house of a wider plot width to that of its neighbour, with different fenestration patterns and sizes and arguably different volumetric qualities to its immediate neighbour. It doesn’t however unacceptably harm the conservation area or streetscene and in fact sits between two very different building styles (Carolyn Martin House and the terrace property to its south).



- 10.68 Ashmount Road opposite has two differing styles of terrace houses, one slightly larger, grander sitting next to a smaller, less grand terrace opposite the junction with Gresley Road. Further south again on the opposite side of Ashmount Road with its junction with Dresden Road an entirely different building style is present again. In this regard, just on Ashmount Road, the building styles differ greatly, meaning that there is no one architectural style appropriate to either the conservation area or the streetscene itself.
- 10.69 The proposed Blocks A1 and B1 that would front Ashmount Road would sit between two very different building styles. To its north, the newly consented Whitehall Park School will be built, of an obvious civic design, scale, massing and materiality. To the south, a terrace of interesting Victorian detailing, but not of spectacular detailing or architectural design, as confirmed by the Conservation Area Guidelines (adopted in 2002). As described above, there is no one style to draw from and therefore to have an expectation to create a direct replica of the immediately adjacent terrace property is not necessary in order to protect or enhance this conservation area described as being made up of a “variety of architectural styles”.

- 10.70 The Conservation Area Guidelines at paragraph 7.13 states: *‘New buildings should conform to the height, scale and proportions of the existing buildings in the immediate area’*. It seeks for the *“scale and bulk of any new building and extensions will be expected to conform with the prevailing heights in the vicinity, and to use vernacular materials, such as brick, stone, render and slate roofs. Modern materials such as glass and steel may be acceptable as long as the design of the new building complements the area”*.
- 10.71 The proposals cannot be considered to be harmful to the conservation area, having a proper understanding of the character of the conservation area as a whole, which is based on principles of variety. The height, scale and massing is not highly at odds with the height, scale and massing of buildings (existing and consented) along Ashmount Road, and the choice of materials are sensitive to those used in the conservation area and also subject to planning conditions.
- 10.72 Whilst the loss of large protected trees would impact negatively on the character and appearance of the conservation area, viewed from Ashmount Road the loss of just one tree will be noticeable once the site is developed (as the remainder of the site would be largely screened from general views from the street). The proposals would include the planting of 3 new trees (in total) within the front gardens of Blocks A1 and B2 and retain the 4 street trees along the frontage of the site. These measures would mitigate for the loss of the existing trees as viewed from the streetscene.
- 10.73 In this regard the proposals at worst would be considered to have a neutral impact on the character and appearance of the conservation area, however the view of the Design and Conservation Officer the proposals would enhance the Conservation Area when the removal of the existing unsightly, single storey building and substation, including temporary portakabins is also considered. The proposals as such are considered to accord with policy 2.3 of the Development Management Policies (2013) and the Conservation Area Guidelines (2002).

Density

- 10.74 London Plan policy 3.4 encourages developments to achieve the highest possible intensity of use compatible with the local context. The development scheme proposes a total of 46 new residential dwellings comprised of 156 habitable rooms (hr).
- 10.75 Density is expressed as habitable rooms per hectare (hr/ha) and units per hectare (u/ha) and is calculated by dividing the total number of habitable rooms / units by the gross site area. The site covers an area of approximately 0.43 hectares.
- 10.76 In assessing density it is necessary to consider that the London Plan policy notes that it would not be appropriate to apply these limits mechanistically with local context, accessibility and other considerations to be taken into account when considering the acceptability of a specific proposal. The site has a public transport accessibility level (PTAL) of 2 to 3, which sets out an appropriate density range of between 200-450 hr/ha or 55-145 u/ha.
- 10.77 The proposed density of the scheme is 363 hr/ha and 107 units per hectare both of which are within the indicative range.

Accessibility

- 10.78 As a result of the changes introduced in the Deregulation Bill (Royal Assent 26th March 2015), Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor local wheelchair housing standards.

A new National Standard

- 10.79 The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to our present wheelchair accessible housing standard. Planning must check compliance and condition the requirements. If they are not conditioned, Building Control will only enforce Category 1 standards which are far inferior to anything applied in Islington for 25 years.
- 10.80 Planners are only permitted to require (by Condition) that housing be built to Category 2 and or 3 if they can evidence a local need for such housing i.e. housing that is accessible and adaptable. The GLA by way of Minor Alterations to the London Plan 2015, has reframed LPP 3.8 Housing Choice to require that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London. In this regard, as part of this assessment, these emerging revised London Plan policies are given weight and inform the approach below.

Accessibility Assessment:

- 10.81 The proposed development comprises of 4 wheelchair accessible unit types (equivalent to Category 3 unit types as described above). The units have been designed in order to maximise the delivery of family sized accommodation, in a manner that is as affordable and efficient as possible, given the low height and scale of the buildings proposed. This has meant that installation of a significant number of lifts has not been adopted, so as to keep the costs of construction appropriate and costs of service charges in this particular situation (3 storey buildings). As such a lower number of category 2 buildings are achieved than would otherwise be anticipated.
- 10.82 A condition will be presented at Planning Committee setting out the relevant units and their categories to be achieved.

Landscaping and Trees

- 10.83 The London Plan, policy 7.21 Trees and Woodlands states that (A): Trees and Woodlands should be protected, maintained, and enhanced, following the guidance of the London Tree and Woodland Framework (or any successor). Part (B) states that existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right tree, right place'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species.

- 10.84 In terms of local policies, Development Management Policies (2013), policy DM6.5 - Landscaping, trees and biodiversity states (A): Developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits, including through the incorporation of wildlife habitats that complement surrounding habitats and support the council's Biodiversity Action Plan.
- 10.85 Part (B) states that Trees, shrubs and other vegetation of landscape and/or environmental significance must be considered holistically as part of the landscape plan. The following requirements shall be adhered to:
- i) Developments are required to minimise any impacts on trees, shrubs and other significant vegetation. Any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits, must be agreed with the council and suitably re-provided. Developments within proximity of existing trees are required to provide protection from any damage during development. Where on-site re-provision is not possible, a financial contribution of the full cost of appropriate re-provision will be required.
 - ii) The council will refuse permission or consent for the removal of protected trees (TPO trees, and trees within a conservation area) and for proposals that would have a detrimental impact on the health of protected trees.

Principle of Development

- 10.86 The Council's Tree Officer has raised an in principle objection to the development with regards to the interrelationship between the trees and the proposed development. The development is split into three blocks; A, B and C. The construction of each of the blocks and the access road will require the removal of TPO trees.
- 10.87 Additionally, the Tree Officer considers introduction of residential units in such close proximity to trees will create post development pressure to manage and prune the retained trees differently in the future should the scheme be permitted. Blocks B and C relationships to trees in particular are of concern to the Tree Officer. Having considered the Tree Officer and resident concerns, Block B2 was requested to be moved further north to make a greater separation distance between the canopies and the block. The applicant therefore moved this block 1.25m further to the north. The Tree Officer has confirmed that Block B2 with this amendment would sit outside of the root protection areas (RPA) of these trees along the southern boundary of the site. However an objection remains in relation to the overshadowing of the gardens and post development pressure to prune these trees.
- 10.88 The Tree Officer also advises that the building lines and other associated excavations such as drainage, landscaping, boundary treatments and level changes will all impact on the roots and rooting volume the trees currently utilise. These impacts are cumulative and a threat to the short and long term retention of the trees.

Trees for Removal

- 10.89 There are currently 30 trees protected by TPO within the curtilage of the site. The tree preservation order is LBI TPO (No.325) 2007. The remaining trees are protected by their inclusion within the Whitehall Park conservation area.
- 10.90 Ten (10) TPO trees are proposed to be removed. Seven are located in a cluster around the remaining school buildings located in the north of the application site and includes the removal of the following (both Tree Survey and TPO references provided) as set out below to facilitate the construction of Block B2 and the access road:
- 4 x Lombardy poplars (all Category C1): TPO45 (T11) and TPO46 (T12), TPO43 (T49), TPO44 (T50);
 - 2 x cherry (both category C1): TPO47 (T13), TPO48 (T14),
 - 1 x common lime (category C1): TPO49 (T15).
- 10.91 The following two pear trees would be removed in order to facilitate the construction of the access road and the common lime as it sits at the proposed service road access to be created into the site:
- 2 x pear trees (category C1): TPO22 (T2) and TPO23 (T1);
 - 1 x common lime (Category B2): TPO58 (T24)
- 10.92 The eight non-TPO trees to be removed (protected by virtue of the conservation area location) are located in various positions around the site. The following two Ash trees would be removed to facilitate the construction of Block B1 (southern block that largely fronts Ashmount Road):
- 2 x Ash trees (category C1): T22 and T23.
- 10.93 A cherry tree would be removed to facilitate the construction of Block A1 (fronting Ashmount Road in the north of the site):
- 1 x cherry tree (category C1): T17.
- 10.94 The following trees would be removed in order to facilitate (apple and willow) the construction of Block C and the sycamore to facilitate construction of the access road:
- 1 X apple (category C1) T8;
 - 1 x willow (category C1) T9; and
 - 1 x Sycamore (category C1) T3.
- 10.95 The following trees are located in the north of the site and would be removed in order to facilitate the construction of Block A2:

- 2 x Lombardy poplar (category C1) T48 and T51.

- 10.96 Whilst the Tree Officer considers that there is an unjustified level of tree loss, and objects to the proposal on the grounds of tree loss, there are considered to be overriding planning merits (policy DM6.5) that justify the level of tree loss (having regard to the appropriate level of replacement planting proposed). The wider site has been split in two by the Secretary of State, enabling a school to be developed on the northern part and housing to be developed on the southern site. Priority has been given to the retention of boundary trees, which are better located to contribute to the wider character of the area, and enables the development of the site in a manner that makes most efficient use of the site, having regard to its configuration.
- 10.97 An objection has been received stating that the categorisation of the trees within and adjoining the site does not conform to BS standard, suggesting that *“little detail to establish the value and quality of trees that are to be lost”* and suggests that an informed judgement cannot be made on this basis. The Tree Officer considers that most Tree Surveys submitted will underplay the categorisation of trees and raises no specific concern in this regard. However, whilst some of the categories given may be considered to be undervalued, the views of the Tree Officer, (that they object to this application and request the scheme to be refused), is not altered by their view of a difference of opinion of categorisations given. An assessment is made by officers on the basis of overriding planning benefits in this regard, plus the history of decisions in relation to the wider site.
- 10.98 A number of early objections to the scheme stated that it was not clear how many (if any) trees along the Gresley Road facing properties rear boundary (i.e. the sites southern boundary) were proposed for removal. It should be noted that no trees are proposed for removal that are located on this southern boundary, all are proposed to be retained. Stepping slightly into the site there are two Ash trees indicated for removal T22 and T23 already addressed above).
- 10.99 A planning condition (**condition 20**) is recommended that sets out clearly that the only trees permitted to be removed are those summarised above. Any change to this would require further application for tree removal.

Replanting (mitigation)

- 10.100 The application proposes replanting in order to mitigate for the trees lost as a result of accommodating the development. The proposed replacement planting consists of:

Tree Species	Predicted canopy area (sqm) after 10 years	Number of trees planted	Canopy area (sqm)
Silver Lime	30	6	180
Field maple	22	5	110
Silver birch	22	4	88

Common lime	30	6	180
Total		21	558sqm

- 10.101 As can be seen above, the trees lost would be compensated for by planting 21 trees to replace a total of 18 intended for removal. This would result in an on-site uplift of three (3) trees. The proposed replacement planting is indicated on drawing 14_1054_NPP_NT, and is accepted as a reasonable replanting strategy based on the layout and design of the development including the positioning of existing trees. A further more detailed landscape plan is to be secured by planning **condition 21**.

Canopy Loss and Mitigation

- 10.102 The updated Tree Survey is agreed in terms of canopy loss and replacement is agreed by the Council's Tree Officer. The Tree Survey states that the trees to be removed as part of this application would constitute a canopy loss of 520sqm. The Tree Survey provides a CAVAT value of what this degree of canopy loss would amount to in monetary terms.

- 10.103 The proposed replacement canopy would in fact outweigh the canopy cover that would be lost from the site from tree removal. In this regard, the Tree Officer, notwithstanding their initial in principle objection, raises no specific objection to the replacement planting nor the canopy re-provision. In this regard, no s106 financial contribution is sought by the Tree Officer as further mitigation for this scheme.

Pruning works including post development pressure

- 10.104 The Tree Officer has commented that the physical relationship between the proposed buildings and the protected trees will demand that pruning works will be sought (post development pressure) which the local planning authority will in the future, find difficult to refuse.
- 10.105 Even if the trees are significantly reduced to facilitate construction, the residential windows will be within 2m of tree canopies (2m is the minimum pruning required to facilitate the erection of scaffolding) of the protected trees, vigorous re-growth will require annual pruning to prevent damage to the property. The Tree Officer advises that the loss of light to the rooms will be significant in summer and this light loss and the post development pressure to alleviate by heavy pruning is an objection raised by the Tree Officer.
- 10.106 Whilst this relationship is recognised, in order to improve this relationship, Block B2 was amended in its positioning to move it 1.25m further to the north to provide an increased separation between the elevation wall of the block and the canopies of the trees along the southern boundary. In order to minimise the potential impact from requests to prune these trees in the future, clauses have been agreed to be inserted into the s106 legal agreement, by the applicant stating that all leases will require that:

“future residents of Block B2 accept the relationship between the TPO trees and their properties and understand that there will be shading, leaf drop and branches close to their properties, and confirm that they acknowledge this and will not therefore bring unrealistic requests to prune these trees to the Council”.

10.107 This is considered to contribute towards forewarning or ensuring that future would be occupiers are aware of the status of these trees and the Council’s view that over pruning will not be supported, either by virtue of shading of the amenity spaces or by virtue of the relationship of tree branches to elevation walls. Furthermore, the units within these two blocks B1, B2 and C will be retained within the ownership and management of ISHA (Housing Association) which will contribute towards more control of such requests to the Council in the future. ISHA will obviously be signatory to the s106 agreement that secures the above commitment. Whilst this is still not ideal, it is considered the there are wider planning benefits and considerations that must be taken into consideration in this final assessment, including the splitting of the site in two, the need to make best use of scarce sites and the significant affordable housing offer that this proposal would deliver. In this regard, the relationship is considered to be acceptable in this instance and therefore policy DM6.5 is considered to have been met due to overriding planning benefits.

10.108 Further to the above, tree T33 is proposed to be reduced by up to 2m the north-east facing laterals in order to facilitate the construction of the development. These works are addressed by the arboricultural method statement (**condition 17**).

Works within RPA of trees

10.109 Initially, the Tree Officer raised concerns regarding incursions into the RPA of the large off site tree T10 (located midway along the northern boundary of the site). The construction of the access road beneath the tree canopy was considered to result in the significant loss of roots and rooting volume as will the change to the boundary treatment. The updated Tree Survey however has minimised those concerns, and a variety of tree protection, site supervision and method statement conditions (along with supervision of construction on site) are considered to minimise the concerns of the Tree Officer in this respect.

10.110 Many objections have been received stating that the proposed gardens of Block B1, B2 and C units do not have clear proposals for establishing the levels proposed for their amenity spaces, and expressing concerns regarding the health of the protected trees. In terms of the site survey, it is clear what the existing site levels are. A number of planning conditions are imposed to ensure that the trees on the site are protected through the various stages of the development, and in particular the gardens to the above blocks including:

- Condition 16: Boundary Treatment – This requires specific boundary treatment details for all boundaries at (1:20) scale of drawing (cross sections and elevations) and 1:50 scale (minimum) of site location sections illustrating the detailed design of all boundary treatment(s). The details shall be informed by a specific arboricultural method statement addressing Root Protection Areas of all retained trees that boundary treatment is to pass through, informing the i) placement of footings, and ii) the method of constructing them (ie. by hand dig). These drawings must also be informed by a site survey

- Condition 17: Arboricultural Method Statement (AMS) – to be agreed in writing by the LPA prior to any site clearance, preparatory work or development taking place. This shall agree appropriate working methods by contractors on site in relation to protecting the trees during construction, laying of drains etc.
- Condition 18: Tree Protection Methods – Notwithstanding the details hereby approved, detailed tree protection measures shall be submitted to and approved in writing by the LPA prior to any works commencing on the site. Whilst these would be covered within the AMS given the sensitivity and great need to protect the retained trees on the site, a specific condition just dealing with tree protection mechanisms was considered necessary.
- Condition 19: Site Supervision – to be agreed in writing by the LPA prior to any site clearance, preparatory work or development taking place. This secures an agreed scheme of supervision (administered by a qualified arboriculturalist) and monitoring for the arboricultural protection measures outlined in **Condition (18)** and will only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed arboriculturist during construction.
- Condition 21: Landscaping – this condition must be approved in writing prior to the development reaching superstructure stage (i.e. rising out of the ground level). The Root Protection Areas will still be protected at the time this condition is submitted and approved and therefore no works on landscaping of the gardens would take place until the Tree Protection Measures have been taken down. Part d) of this condition specifically requires updated details of: *d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types*. In this regard, this is a standard condition requirement and is entirely appropriate to be attached as a condition to control any changes in levels and prevent any unacceptable reductions or increases in ground levels beneath these important trees.

10.111 An updated landscape plan is therefore required by planning condition (**condition 21**), to be submitted and approved in writing prior to any works commencing on construction of Block B2, relating in particular to the site levels along the Gresley Road boundary so as to dictate floor levels and garden levels and if necessary to retain raised gardens so as to minimise impacts on the RPAs of these trees.

Services and Tree Impacts

10.112 The proposed storm water drainage to the south of block B is acknowledged to cut through the Root Protection Area (RPA) of T7 and T20 and the trees along the southern boundary. Whilst the drainage route has been amended, the Tree Officer did previously raise a concern that the position, depth and extent of this drain is unknown but could compound the impacts upon these trees and it is likely that the incursion into the RPA could cause inappropriate root loss. Whilst in general terms the standard landscaping scheme will secure these details, given the sensitivity of this site and the concerns by the Tree Officer a planning condition is recommended to secure a revised drainage plan (current one is preliminary C100 Rev P4) that brings the route of this drain as far north towards the Block B2 southern building line

as possible (**condition 23**). It also requires supervision and hand dig of this drainage channel to minimise impacts as far as possible.

- 10.113 The updated Tree Report states that all drainage or services that pass through an RPA will be hand dug under supervision of an arboriculturalist. Roots with a diameter of 25mm or more will be retained if need be.

Boundary Treatment

- 10.114 The boundary treatment adjacent to the protected trees needs to be examined, no indication of how the boundaries will respond to tree stems that physically cross boundary's and methods of installation that minimise impacts on the trees have been provided. Therefore a condition (**condition 16 – see above**) is required stating that no new or replacement / boundary improvement works shall take place without first submitting the detailed design and construction methodology, informed by the Tree Survey for agreement by the Council.

Biodiversity

- 10.115 An Ecological Scoping Survey Report (December 2014) was submitted with the application assessing potential impacts regarding bats, breeding birds and invasive species.
- 10.116 Bats: no evidence of bat presence was found within trees or buildings. However to promote biodiversity the applicants consultant recommends the installation of 3 x 1WI Schwegler summer/winter bat boxes (1 per apartment block above circa 5-6metres high, ideally at eaves level on different aspects). This is secured by **condition 15**.
- 10.117 Breeding Birds: whilst no evidence was found during the survey, the survey was undertaken outside of bird breeding season, therefore any site clearance works are recommended by the applicant's consultant to be carried out outside of bird breeding season (August – February). A condition is recommended to this effect (**condition 5**). Furthermore to enhance future opportunities for nesting, the consultant recommends (which are secured by **condition 15**):
- 6 x Schwegler 1SP house sparrow terraces (2 per apartment block, above circa 4m high)
 - 6 x 17a Schwegler triple cavity swift boxes (2 per apartment block, above circa 5-6m high ideally at eaves level); and
 - 9 x 1MR Schwegler avianex boxes (3 per apartment block above 2-3, high)
- 10.118 Japanese Knotweed: An area of Japanese Knotweed has been identified in the western most end of the site, its eradication may in fact have implications for the ability to retain TPO tree T19. A strategy for the effective removal and disposal of this infestation is required by **condition 9** to be carried out by a specialist Japanese Knotweed remediation consultancy.

Quality of Resulting Residential Accommodation

- 10.119 Islington Core Strategy policy CS12 identifies that to help achieve a good quality of life, the residential space and design standards will be significantly

increased from their current levels. The Islington Development Management Policies DM3.4 sets out the detail of these housing standards.

- 10.120 Unit Sizes: All of the proposed residential units comply with the minimum unit sizes as expressed within this policy.
- 10.121 Aspect and outlook: Policy DM3.4 part D sets out that ‘new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated’. With the exception of three, one bedroom private tenure units, located within Block A2, all of the proposed flats would have a dual aspect and in some cases a triple aspect. The single aspect units are all south facing and have an inset balcony achieving some variety of light direction into the unit. This equates to 6.5% of the units within the scheme as single aspect. They sit adjacent to the stair and lift core servicing Block A2 and this is considered unavoidable and acceptable.
- 10.122 Amenity Space: Policy DM3.5 of the Development Management Policies identifies that ‘all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens’. The policy goes on to state that the minimum requirement for private outdoor space is 5 square metres on upper floors and 15 square metres on ground floor for 1-2 person dwellings. For each additional occupant, an extra 1 square metre is required on upper floors and 5 square metres on ground floor level.
- 10.123 Daylight and sunlight: Policy DM3.4 requires all residential development to maximise natural light enabling direct sunlight to enter the main habitable rooms for a reasonable period of the day. The BRE Guidelines detail the level of light rooms should receive through the assessment of Vertical Sky Component (VSC) and Average Daylight Factor (ADF), as well as sunlight (APSH). The tests for VSC and APSH are explained at in the Neighbour Amenity section, however the ADF test is appropriate only for proposed units, the way this is calculated is as follows:
- 10.124 Average Daylight Factor (ADF): is a test used for proposed residential units and is not advised to be used for adjoining properties that may be affected. ADF is defined as the average internal illuminance as a percentage of the unobstructed external illuminance under standard overcast conditions. Where floor to ceiling windows or doors exist, the 2011 BRE allows for a further test to be applied to glazing areas below the working plane with floor reflectance added in. The target levels aim to achieve a factor of 1 for bedrooms, 1.5 for living rooms and 2.0 for kitchens.
- 10.125 Overshadowing: is a test to the area of an amenity space that receives more than two hours of sunlight on 21 March (the Spring equinox). The guide states:
- “for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If, as a result of new development, an existing garden or amenity area does not meet the above, and the area which can receive two hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable.”*

- 10.126 Overlooking/Privacy: policy DM2.1 at its supporting text, paragraph 2.14, refers to an 18m separation distances between windows of habitable rooms. This is stated to protect privacy for new developments and also for existing residents, therefore this distance does guide internal development layouts also.
- 10.127 Taking each block in turn, the following assessment is made in respect of quality of accommodation:
- 10.128 Block A1 (Shared ownership units) comprises of the following, all of which comply with the minimum unit size requirement and exceed minimum storage requirements. All units are at least dual aspect and have floor to ceiling heights of 2.6m complying with the minimum:
- Ground floor: 3 x 2 bedroom 4person flats;
 - First floor: 2 x 2 bedroom 4person flats and 1 x 2 bedroom, 3 person flat;
 - Second floor: 2 x 2 bedroom 4person flats and 1 x 2 bedroom, 3 person flat; and
 - Third floor: 2 x 1 bedroom 2 person flats.
- 10.129 In terms of amenity spaces due to opportunity for mutual overlooking, no permission is given for the balcony to shared ownership unit A1-5-1, as it could look into the bedroom window of unit A1-6-1 and mutually overlook the affordable rent balcony (Block B1) opposite. This is secured by **condition 28**. This would leave one unit in this block with no private amenity space, however given the minimal transgressions in this regard, this is considered to be acceptable. All other amenity space requirements within this block comply with minimum standards and the same condition would secure screening to prevent mutual overlooking between Block B1 balcony and Block A2 windows.
- 10.130 The minimum amenity space requirement for the ground floor units (all requiring 25sqm being 2 bedroom 4 person units) are all comfortably met. Whilst objections have been received stating that the spaces are inappropriate due to their location north of the Block, due to overshadowing and location fronting the highway, given the layout and constraints of the site, the amenity space provided is considered acceptable. Whilst objections to amenity spaces as front gardens have been received, these spaces are to have low brick boundary walls with hedges grown up, which over time will provide a high level of privacy and therefore a very good degree of private amenity space.
- 10.131 Block A2 (Private sale tenure) comprises of the following, all of which comply with the minimum unit size requirement and exceed minimum storage requirements. All units are at least dual aspect with the exception of 3 x 1 bedroom units (one on each floor), which face due south and do as a mitigating factor have an inset balcony which would secure some variation in light receipt and ventilation into the units. All units have floor to ceiling heights of 2.6m complying with the minimum:
- Ground floor: 2 x 2 bedroom, 4 person units

- First floor: 2 x 2 bedroom, 4 person units and 1 x 1 bedroom, 2person
- Second floor: 2 x 2 bedroom, 4 person units and 1 x 1 bedroom, 2person
- Third floor: 2 x 2 bedroom, 4 person units and 1 x 1 bedroom, 2person

10.132 In terms of amenity space, there are two units, both 2 bedroom 3person units at the 1st and 2nd floors that have balconies of 5sqm, this equates to a shortfall of 1sqm of amenity space for these units. The ground floor units are provided with more than 40sqm of private amenity space each, comfortably exceeding the 25sqm minimum. Objections relating to these spaces being located to the north of the block are addressed above.

10.133 Block A Daylight and Sunlight Receipt: In terms of Average Daylight Factor (ADF): 6 out of 60 rooms tested fail the test (10%). Of these, 5 rooms are bedrooms (2 on ground and 3 on first floor) that secure 0.67, 0.75, 0.94, 0.97 and 0.97 respectively (the target being 1.0). These bedrooms have a lesser requirement for daylight and as it can be seen three only just fail to meet the standard, the failure occurring due to the rooms having a recessed balcony that windows sit behind. The final room failing is a kitchen (first floor) that achieves 1.60 ADF (the target being 2.0). This room is within Block A1 and is a dual aspect room, with a recessed balcony to the street frontage and a window in the junction of the two block (A1 and A2). It should be noted that in terms of Daylight Distribution, this room achieves 92.29% daylight within the room which is a very good standard (albeit this is not a standard test for proposed developments).

10.134 In terms of VSC receipt, whilst 50.5% of 109 windows tested failed to achieve the 27% VSC target, this generic BRE target has typically been set for suburban locations. Looking at the surrounding properties a typical VSC (existing) appears to be 24%. Adopting this as an alternative target (allowed for by the BRE guidelines) in place of 27% would see 39 windows fail, amounting to 35.8% failure rate. The BRE does allow alternative targets to be set and states that the BRE is guidance and should not be used as a strict instrument of policy. In this regard, the majority of windows secure a commensurate amount of daylight to properties in the immediate area. Of these 39 windows, 32 secure very low VSC, however these instances occur only when windows are set within a recessed balcony, or at a junction between blocks oriented on different planes. The rooms these windows serve have a dual aspect and therefore secure an appropriate ADF and as such achieve a good internal lighting environment and good quality accommodation for future residents.

10.135 In terms of sunlight receipt: 71 windows within Block A required testing due to orientation within 90 degrees of due south. Of those, 26 windows (36.6%) received less than BRE Guide annual sunlight and 7 windows (9.9%) less than BRE Guide winter sunlight. Again those windows that fail do so due to their positions within a recessed balcony at all floors, due to a west or east orientation only (in which case they generally exist as secondary windows). Windows immediately adjacent to a failing window that do not sit behind a recessed balcony achieve compliant sunlight levels. The majority of the windows that fail sunlight receipt are bedrooms (18), which are regarded as having a lower need for sunlight due to the main room use. Having regard to the above considerations and as the kitchens that fail (8) are dual aspect rooms and also have access to the balconies causing the bedroom failures, the units

are considered to achieve an appropriate level of sunlight in order to achieve a good standard of amenity.

10.136 Block B1 (Affordable rent – at target rent levels) comprises of the following, all of which comply with the minimum unit size requirement and exceed minimum storage requirements, all of which are at least dual aspect and have floor to ceiling heights of 2.6m complying with the minimum policy requirement.

- Ground floor: 1 x 1 bed 1person flat and 1 x 2bed 4p flat;
- First floor: 2 x 2 bed 4person flats and 1 x 1 bed 2p flats
- Second floor: 2 x 2 bed 4person flats and 1 x 1 bed 2p flats.

10.137 In terms of amenity space, the Ashmount Road facing unit at ground floor is provided with 47sqm of amenity space to the front of the unit and a 13sqm space to the rear. The minimum amenity space is 25sqm. An objection has been received stating that front garden amenity space is inappropriate, however the garden area is very large, a proposed low brick wall with hedge planting above is proposed as boundary treatment commensurate with the character of the street and would provide an element of screening which will increase as the level of privacy and quality of the amenity space as time goes on.

10.138 Block B2 (Affordable rent – target rent levels) comprises the following, all of which comply with the minimum unit size requirement and provide the required storage space. All units are at least dual aspect with good outlook, complying floor to ceiling heights:

- Ground floor: 1 x 1 bedroom, 2 person flat and 3 x 3 bedroom, 5 person flats; and
- First and second floors: 8 x 3 bedroom, 5 person duplexes.

10.139 The units located at ground floor are all provided with more than the minimum required amenity space size (minimum is: 15sqm for the 1 bed and 30sqm for the 3 bed units). In this regard the 1 bedroom unit has 28.9sqm, and the 3 bedroom units have between 47.6 and 58.9sqm.

10.140 The upper floor units have a ground floor amenity space area provided; however the requirement is lower at 8sqm. These units each have a ground floor garden space measuring between 19.5sqm and 26sqm all ranges within comply with the policy requirement. A **condition 28** is recommended to ensure that the access to the gardens provided to the upper floor units are appropriately FOB controlled for security.

10.141 The overshadowing report does not make it clear if trees have been taken into consideration in the assessing of overshadowing. However, as the test is carried out at the equinox (21st), when is it regarded that the degree of tree canopy density would not be at its greatest, and as such it is likely that a 2 hour sunlight receipt would be possible through dappled canopy. It is acknowledged that the amenity spaces will be overshadowed, however as stated within the BRE:

“People vary in their preferences, and some like to have a shady, secluded garden. However most people would be satisfied with some partial shade under trees, and other parts of the garden or amenity area in full sun”.

- 10.142 The Tree Officer considers that amenity space that is solely under the canopy of a protected tree should not be supported, given the impacts of the canopy on the space. The perception that the tree is dangerous in windy conditions, too shady or dry for planting, possibility for failed lawns, seasonal nuisance of leaf litter and honey-dew are all conflicts that are foreseeable between future residents and the protected trees. As mentioned previously, the gardens have been slightly increased in size and a clause within the s106 agreement is recommended in order to inform future potential residents of the above issues, thereby potential future residents would be fully informed of the arrangement and those people preferring more shady gardens found to take up the units.
- 10.143 Block B - Daylight and Sunlight The average daylight factor (ADF) for the entirety of Block B sees just 3 rooms (out of 67) marginally fail to reach the target, representing 4.5%. Those rooms are 2 kitchens at ground floor level, achieving 1.61 and 1.7 respectively (2.0 is the target) and a first floor kitchen, achieving 1.92.
- 10.144 In terms of VSC receipt, whilst 24% of 96 windows tested failed to achieve the 27% target, this target has typically been set for suburban locations. Looking at the surrounding properties a typical VSC (existing) appears to be 24%, using this as a target, in place of 27% would see 12 windows fail, amounting to 12.5% failure rate. The BRE does allow alternative targets to be set and states that the BRE is guidance and should not be used as a strict instrument of policy. In this regard, the vast majority of windows secure a commensurate amount of daylight to properties in the immediate area. Whilst 5 windows would receive less than 8% VSC these are secondary windows servicing a kitchen and therefore the rooms pass the ADF tests, meaning they have good daylighting receipt.
- 10.145 An objection has been received stating that the effects of the tree canopies has not been factored into the above tests. The BRE Guide (2011) does caution testing the impact of trees within the above calculations, as it can be difficult to arrive at the appropriate level of obstruction to factor in. It does however state that sometimes their impact should be factored in, but goes onto state that arguably the winter months are the most important for daylight receipt (due to low levels) and at this time of year, the level of obstruction caused by deciduous trees is minimal, as is the case here. Whilst testing has not occurred, it can be surmised that testing of the trees would generate a worse result than those set out above. The second floor rooflights are angled to the sky and therefore would be minimally impacted. The first floor windows / rooms and the ground floors are served by floor to ceiling height windows and doors and serve rooms that are dual aspect, meaning that a degree of illuminance is secured from the north facing windows, mitigating any impact from shading of the trees. Whilst
- 10.146 In terms of sunlight receipt, two rooms fail the annual target and one room fails to reach the annual and winter target. These rooms are deep combined kitchens, two sitting behind the recessed balconies in Block B2 and one to the north side of Block B2 which would obstruct sunlight. Given these factors, it would not be

possible to achieve compliance to these windows and the failures are limited and accepted.

10.147 Block C – (Affordable rent – at target rent levels) comprises of 4 houses (all 4 bedroom, 6 person) positioned over 3 floors, all of which have at least a dual aspect and good outlook as well as comfortably exceeding the minimum unit sizes (which is 113sqm) including having sufficient space to meet the 3.5m storage space requirement. The units all have floor to ceiling heights of 2.6m, with a part exception at the second floor where due to the roof slope, small areas of the bedrooms in each unit have a lower floor to ceiling. These arrangements are however marked on the floorplans and is reflected in these being single person bedrooms. As such, all units meet the 2.6m policy requirement.

10.148 In terms of daylight receipt, Block C performs the best and whilst below the 27% Vertical Sky Component (VSC) guide is not achieved in some cases, looking at the existing VSC of surrounding properties, many do not achieve that standard and the standards achieved are very high. In terms of Average Daylight Factor, only one bedroom would marginally fall below the standard (missing the standard by 5%). Daylight receipt to windows and rooms would be very good to these houses. Those rooms requiring testing (facing south) for sunlight receipt purposes all pass the sunlight tests.

10.149 In terms of amenity space, being 4 bedroom houses, able to accommodate 6 persons, these have a requirement for 35sqm of amenity space. The units have a ground floor entrance from the access road (north of the units) that are dug into the higher ground to the south. As such, the amenity spaces of these are accessed from first floor level directly off the living spaces. Each of these four amenity spaces measure between 42.4sqm and 75.2sqm. As such, all comfortably exceed the minimum requirement. Objections regarding the amenity spaces being shaded and therefore not usable have been received. The sunlight testing for amenity spaces has been carried out in accordance with BRE guidance and confirms that the Block C amenity spaces are adequately lit.

10.150 Play Space: The proposal would result in a child yield of approximately 44 children as illustrated within the table below:

Proportion of children		
	Number of children	%
Under 5	14	32%
5 to 11	17	39%
12+	13	29%
Total	44	100%

10.151 This generate a requirement for 69.8sqm for under 5 year olds, 85sqm for 5-11 year olds; 63.2sqm for 12 years and older totalling 217.9sqm of play space to be provided based on Islington's requirement of 5 square metres per child (including semi-private outdoor space, private outdoor space and gardens suitable for play). The application proposes an area of 85sqm of outdoor play space located between Block B2 and Block C.

- 10.152 The supporting text to policy DM3.6 'Playspace' at paragraph 3.77 states that *"The council will require major residential developments to provide 5m2 of informal play space per child (based on the estimated child yield). Private gardens and other private outdoor spaces suitable for play, alongside semi-private informal space, will be considered to contribute towards this provision."*
- 10.153 In this regard, it is considered that the private residential gardens provided to each of the family units would deliver appropriate locations for under 5 year olds play (69.8sqm required for under 5's). The proposed 85sqm play space would provide the entire 5 to 11 year age range play space requirement. Planning **condition 24** is recommended to secure the final details of the play area). In this regard, it is the play space for the 12 years and older children that is not provided on-site, and in a dense borough such as Islington is rarely provided for on any site, with off-site contributions normally taken to cover this provision (this approach is set out within the Development Management Policies (supporting text 3.73).
- 10.154 This scheme sits directly adjacent to the recently consented Whitehall Park School which has a Multi-Use Games Area within the site. This development would have its own access to the MUGA outside of school hours to cater for the 12year plus group (which is sufficient as during school hours those children will themselves be at school). In this regard, the development is considered to have just a 5sqm shortfall of play space provision. It is in fact a rare occasion for residential developments in Islington to fully meet the play space requirement on-site (which is the densest borough in the country). This development performs extremely well in terms of play space provision and is considered to adequately deliver play space for the children of future residents. Access to the MUGA outside of school hours is secured via s106 agreement on the school planning permission, but also planning **condition 25** is recommended to be attached to this permission to ensure joint working with the school to achieve proper access from this site.
- 10.155 Internal Noise Environment: An acoustic report was submitted with the application that recommended performance criteria for the glazing and façade which was reviewed by the Council's Acoustic Officer. A planning condition is imposed to secure the design recommended within the report to achieve internal noise standards. These arrangements are secured by **condition 36**.

Neighbouring Amenity

- 10.156 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. Policy DM2.1 of the Development Management Policies Document 2013 states that satisfactory consideration must be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.
- 10.157 Overlooking/Privacy: policy identifies that 'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For instance where

the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm. For clarity, the assessment below is based on the most recent drawings with Block B2 moved 1.25m further northwards.

- 10.158 Noise: Objections have been received from local residents suggesting that residential occupation of this site would cause undue noise and disturbance to their properties. This is not agreed. The site would be used in a similar vain to the surrounding residential area and would not cause noise to a different degree to that already occurring in the surrounding area. Additionally, the development would screen school playground noise from residential properties surrounding the site.

Overlooking Potential of facing Ashmount Road Properties

- 10.159 The proposed windows in the Ashmount Road frontage buildings (Blocks A1 and B1) face towards the public highway and therefore no unacceptable overlooking would occur across to the properties opposite.

Overlooking Potential and 1 & 2 Ashmount Road

- 10.160 Individual objections from occupants of this property as well as 3 letters from a solicitors firm representing these residents have been received by the council. The objections state that the submitted drawings inaccurately depict the 1 Ashmount Road, property. The submitted drawings reflect the land registry outline of this property; however this property has been extended with a single storey ground floor infill extension that has been constructed with a high degree of glazing, including glazed roof lights. There are objections that this room has therefore not been properly tested due to the incorrect drawing of it. However an assessment in overlooking terms is provided below and in daylight terms is assessed later in this report.
- 10.161 Block B1 that fronts Ashmount Road, has south facing windows with the opportunity to face windows within 1 Ashmount Road. A mainly flank wall is proposed without any windows to the main frontage of this building, although at first floor level the side of the balcony is exposed with a 1.3m wide opening. The balcony measures 6sqm and serves a one bedroom flat. An objection has been received against this balcony stating that overlooking would occur. Given that the bay windows at 1 Ashmount Road face directly at the street and have no side glazing (bricks to the side), there is no possibility overlooking could occur of these windows. Whilst an access route down the side of the property could be looked at, this would not amount to unacceptable overlooking and is an acceptable relationship.
- 10.162 The block (B1) would step into the site by 3.9m from the main flank wall proposed, this elevation being between 6m and 6.5m from the boundary shared with 1 Ashmount Road. At ground floor level no unacceptable overlooking would occur due to boundary treatments. An objection has been received against the insertion of a balcony to the first floor of Block B1 stating that it would look into a first floor bedroom window at 1 Ashmount Road. The first floor window at 1 Ashmount Road faces directly onto the street and the balcony would be set within the flank wall of proposed Block B1. There would be no possibility of overlooking from this balcony to the window due to the angle each is looking out on. They would be at 90 degrees to

one another, with the 1 Ashmount Road window bay being edged by brick. Even with the 1m projection of the building line, the balcony opening is 500mm back, setting it in line with the brick bay of 1 Ashmount Road.

- 10.163 At first and second floor levels a window to a circulation space (non-habitable) and a bathroom window (non-habitable) are proposed, as has been identified by the objector and their solicitor. Whilst these are non-habitable and therefore according to policy do not introduce any unacceptable overlooking, a condition is recommended to secure all four of these windows (two on each floor) as obscurely glazed. The bathroom windows, entirely obscure and the circulation space windows obscured up to a level 1.7m above finished floor level (**condition 26**) and has been agreed by the applicant. Given these are non-habitable rooms it is not considered necessary to prevent their opening.
- 10.164 Moving beyond the end of the rearmost projection of the built form at 1 Ashmount Road, at first and second floors, there is first a bedroom window and then an inset balcony measuring 7sqm that is accessed from the combined living / kitchen / diner of the unit at first and second floors. These windows are 9.6m from the original wall of the rearward projection of the 1 Ashmount Road property, and whilst having to look down onto the kitchen / diner, would be 7m away at the nearest point.
- 10.165 The nearest edge of the proposed bedroom windows is positioned a further 0.8m beyond the end of the 1 Ashmount Road properties most rearward building line. Whilst no direct overlooking of a habitable room could occur from these two bedroom windows, it is considered that an oblique view into the adjoining properties windows could be achieved, hence overlooking could be achieved. As such obscure glazing up to a point 1.7m above finished floor level is to be sought for the bedroom window at first floor level and up to 1.6m above finished floor level at second floor level (**condition 26**).
- 10.166 In terms of the two proposed recessed balconies, the closest edge would be positioned 4.3m beyond the end / rear building line of the 1 Ashmount Road property. Each of the proposed flats are 2 bedroom, 4 person units with the balconies (7sqm) accessed off the living / kitchen /diner. The supporting text (paragraph 2.14) to policy DM2.1 of the Development Management Policies states:
- “To protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway; overlooking across a public highway does not constitute an unacceptable loss of privacy”.*
- 10.167 Whilst the balcony inset would not directly face any habitable rooms, a person on such a balcony could secure a view into (at an oblique angle) windows of 1 Ashmount Road with distances (albeit oblique) of roughly 13m to first floor windows, and 8.5m into the glazed roof kitchen / diner. A planning condition (**condition 27**) is therefore considered appropriate to secure screening to half the width of these balconies at first and second floors. In order to obtain a view from those balconies to the windows in 1 or 2 Ashmount Road, deliberate movement and looking back towards these properties would be required. It is not considered occupants of any residential property would behave in this way, the screening safeguards the amenity of the proposed units whilst preventing overlooking to these properties.

- 10.168 Having regard to the above necessary planning conditions it is not considered that the proposed development would have an unacceptable overlooking impact to the property at 1 Ashmount Road and that the relationship in this regard is acceptable and in accordance with adopted planning policy. It is not considered that Block B2, due to the acute angle between windows within this block and the Ashmount properties, would cause any unacceptable overlooking.

Overlooking Potential of Block B2 and Gresley Road Properties

- 10.169 In terms of the relationship of Block B2 to the Gresley Road properties, at ground floor level, the datum finished floor levels would be 83.81 (western most cycle and refuse store) and 82.52 (eastern most unit). This compares to the site survey that indicates the existing fence line between the application site and the Gresley Road properties ranges from in the west, 84.23 (to the rear of 22 Gresley Road) and 82.1 (to the rear of 2 Gresley Road). In this regard, the ground floor levels would be 0.41sqm lower than the levels below the fenceline. As such, boundary treatment of a standard height would prevent any direct overlooking at ground floor level.

- 10.170 At first floor level, Block B2 would contain a total of 8 windows serving combined living / kitchen / dining rooms (habitable rooms). A total of 8 windows that would serve circulation space (stair cores) are also proposed. The windows to the circulation space are non-habitable and are not required to be considered for overlooking purposes. At second floor level, no elevation windows are proposed, but mansard rooflights totalling 7 are proposed (each serving bedrooms), none of which, due to their angle would enable any overlooking.

- 10.171 However, having regard to the planning policy guidance, given that this elevation wall is located at its closets point (14 Gresley Road) 18.1m away, and at its furthest point (20 Gresley Road) 21.8m away, in planning policy terms the layout and relationship to these properties is acceptable and no unacceptable overlooking from the 8 first floor habitable room windows would occur to the 2-22 Gresley Road properties.

Overlooking Potential of Block C and Gresley Road properties

- 10.172 At ground floor level, proposed Block C would be dug into the bank and would therefore only have outlook to the north, the area behind to be retained. The properties with the potential to be overlooked by this block are Nos. 26-34 Gresley Road. However, at first and second floor levels, Block C is more than 18m distance from nos. 30, 32 and 34.

- 10.173 No. 26 Gresley Road is located 15.3m (to a later extension) from Block C rear wall (first and second floors) and no. 28 is separated by a 17.3m distance. At first floor level of Block C, the finished floor level would be 86.85 for the units that might overlook the above properties. On the boundary line the site survey states that the levels are 86.9 and 86.81. This equates to the same finished floor level. These levels would not be permitted to be reduced due to tree roots and as such, the construction of a 1.8m high boundary fence, which does not require planning permission (being permitted development) would appropriately screen and prevent any overlooking between Block C first floor windows and 26 and 28 Gresley Road windows. Whilst the application proposes a 1.8m high timber fence and an additional 400mm of trellis

above, this additional height is not considered to improve privacy and would add height as viewed from the Gresley Road properties.

- 10.174 At second floor level, Block C proposes roof lights to light the bedrooms at this floor, set within the sloping mansard roof. As such, these rooflights are angled to the sky and would not afford overlooking of the Gresley Road properties.

Overlooking Potential of Blocks A1 and A2 and Whitehall Park School

- 10.175 No windows, with the exception of the inset balcony is proposed in the flank wall of Block A1 facing the adjoining school.
- 10.176 The north facing windows of Block A2 that face the future school would not cause unacceptable overlooking. At ground floor level, a robust fence would be erected and prevent views between the sites. At first, second and third floor levels, just three windows (each floor) would serve habitable rooms (kitchen diners), however worktops are not designed beneath these windows. The remaining windows on this elevation would serve bathrooms (obscurely glazed anyway) and circulation spaces and are not considered to generate overlooking. Having regard to the 9 habitable room windows that would overlook the school, this level of habitable room windows facing a school is not considered to generate an unacceptable relationship.
- 10.177 Sense of Enclosure: Policy DM2.1x) refers to ensuring that developments provide a good level of amenity and consider issues of over-dominance, sense of enclosure and outlook. These considerations are a subjective assessment and must therefore consider factors such as building heights comparative to existing buildings and separation distances.
- 10.178 A number of objections have been received stating that the proposed development would unacceptably harm the outlook from 1 Ashmount Road, 2 Ashmount Road and properties along Gresley Road. In terms of the Gresley Road properties, it is clear from the application drawings that Block B2 would be 3 storeys in height, or 2 storeys plus an attic storey within the roofspace. The properties on Gresley Road are just the same, whilst Victorian in era, they comprise of 2 storeys plus a steeply sloping roof pitch, the majority of which have had rear dormer extensions to utilise the roof space in some cases with front dormer also utilised. Whilst Ashmount Road slopes, therefore meaning Gresley Road properties would be at a lower level, the proposed building heights of Block B2 are not inappropriate. Additionally, proposed Block C is dug into the ground level, therefore having an entirely sunken ground floor level, meaning that the 2 storeys above the site boundary ground level, would be commensurate with the height of the Gresley Road properties. Had they been slightly higher, this would still be appropriate, given the sloping nature of the land from Hornsey Lane down to Gresley Road.
- 10.179 Whilst 26 Gresley Road would be the closest property to Block C at 15.3m away, the 2 storeys above the boundary ground level (datum) would be 4.7m in height to the eave level at a distance 7.6m from the boundary. The roof pitch of Block C would reach 7.3m above the boundary ground level datum which would be a distance of 12.2m from the boundary line shared with No.26 Gresley Road. In this regard the relationship is considered to be acceptable and not to cause undue sense of enclosure, over dominance or loss of outlook.

10.180 1 Ashmount Road. As described above, block B1 would step into the site by 3.9m from the main flank wall proposed, this elevation wall being between 6m and 6.5m from the boundary shared with 1 Ashmount Road. This would in turn be 7m from the closest wall of 1 Ashmount Road (ground floor glazed kitchen diner), and 9.5m from the original rear return side wall. Block B2 would measure 8.8m in height from ground level to the eaves, with the roof sloping away further into the site. It is acknowledged that this is the closest relationship to the proposed development and that the outlook from this property will obviously be altered.

10.181 At present the application site is particularly underdeveloped for a dense borough such as Islington, with just a single storey brick structure adjacent this neighbouring property. The relationship described above is not an unusual one and whilst outlook will change considerably due to the undeveloped nature of the application site, it is not considered that the outlook from 1 Ashmount Road would be obstructed to the degree that would warrant refusal. Outlook uninterrupted to the west would be retained, over the back gardens of the proposed Block B2 properties.

10.182 Daylight and Sunlight: The application has been submitted with a sunlight and daylight assessment. The assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to Policy DM2.1 identifies that the BRE 'provides guidance on sunlight layout planning to achieve good sun lighting and day lighting'.

10.183 Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight);

And

The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value.

10.184 It should be noted that whilst the BRE guidelines suggest a 20% reduction in NSL would represent an acceptable loss of daylight within a room.

10.185 Sunlight: the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:

In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period.

In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.

10.186 Where these guidelines are exceeded then sunlighting and/or daylighting may be adversely affected. The BRE Guidelines provide numerical guidelines, the document though emphasizes that advice given is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.

Sunlight and Daylight Losses for Affected Properties Analysis

10.187 The applicant carried out an initial Daylight and Sunlight Assessment dated July 2015 and after a request from the Local Planning Authority, a further assessment of Daylight Distribution impacts was also provided (dated 6 November 2015).

10.188 Residential dwellings within the properties set out below and on the map have been considered for the purposes of sunlight and daylight impacts as a result of the proposed development:

- 95-101 Hornsey Road (no losses in excess of 20% therefore BRE compliant)
- 98 Hornsey Road (no losses in excess of 20% therefore BRE compliant)
- Fortior Court (no losses in excess of 20% therefore BRE compliant)
- 2 Stanhope Road (no losses in excess of 20% therefore BRE compliant)
- Princess Court (no losses in excess of 20% therefore BRE compliant)
- 82-86 Whitehall Park (no losses in excess of 20% therefore BRE compliant)
- 24-28 Ashmount Road (no losses in excess of 20% therefore BRE compliant)
- Carolyn Martyn House
- 1 Ashmount Road
- 2-38 Gresely Road

10.189 Carolyn Martyn House: In terms of VSC, two windows at the ground floor level would experience losses beyond 20%. Window W2 would lose 22% VSC and W4 would lose 24% VSC. In terms of daylight distribution, losses would not be noticeable as referenced in the BRE Guidelines as the losses to 3 rooms (kitchens) would be less than 20% their existing values, being 4% and 14% losses respectively

10.190 In terms of sunlight, no losses in excess of BRE Guidelines would result.

10.191 1 Ashmount Road: In terms of VSC, the first floor window (W1) is considered as a living room for the purpose of this test, giving it a worst case scenario (although it clearly is not, as the living room is combined with the kitchen on the ground floor and most likely serves a bedroom). This window would experience a loss of 29% of existing daylight received by the window pane (as assessed based on the scheme prior to Block B2 and the rear part of Block B1 being moved 1.25m further north). The testing states that as a result of the development (prior to amendment) would bring the actual VSC down from 29.77 (existing) to 21.26 (proposed). No other windows in this property would experience losses of greater than 20%. An objection has been received (including from the occupiers solicitor) stating that the glazed roof of the ground floor kitchen / diner has not been assessed for VSC purposes.

10.192 The test is described as “vertical” sky component, and as such is applied to vertical window planes. Due to the roof being open to sky directly above it, it has

access to considerable more sky than the established testing is designed for. In this regard, no error in assessment has been made by the applicant, and the relevant assessment in relation to the roof light would be to consider a possible sense of enclosure, and to evaluate how the room itself performs in daylight(Daylight Distribution) terms (addressed below).

- 10.193 In terms of Daylight Distribution, whilst the supplementary Daylight and Sunlight Assessment incorrectly refers to the ground floor and first floor rooms affected by the development as kitchens (the ground floor room is a combined kitchen / dining room) and the first floor room is given a worst case scenario by the LPA in this assessment, considering it as a living room.
- 10.194 The ground floor combined kitchen/ dining room would lose 0.1% of daylight from within the room which would be imperceptible, and would comply with the BRE Guidance. Whether the glazed roof has been factored into this assessment is irrelevant, as including it in this particular assessment (which measures light distribution within the room) would in fact improve the resulting Daylight Distribution result. Generally the two tests (VSC and DD) are read together.
- 10.195 The first floor room would lose 13% of its previous daylight distribution within the room which would be imperceptible in terms of the BRE, as only losses of greater than 20% their former value are considered to fail this test. Reading these tests together, only the VSC test is failed for this first floor window. This exceeds the guidance by 9% of loss (based on the previous scheme design, which saw Block B2 and the rear part of Block B1 1.25m closer than it is now proposed). Having regard to the above considerations, whilst the loss of sky visibility to this one window is unfortunate, the resulting VSC value of (at least) 21.26 is not considered to be poor sky visibility, and appears a level achieved by other properties in the surrounding area, where they are not situated next to an under developed site. For example this resulting VSC would remain higher than the existing VSC experienced by 12 windows at Gresley Road properties and 6 windows to Ashmount Road properties (that were tested). In this regard, the window would not be disproportionately affected compared to established building layouts and arrangements in the surrounding areas.
- 10.196 The BRE Guidelines do allow for alternative targets to be set where appropriate, based on an understanding of the existing immediate surroundings. In this regard, having regard to the surroundings, this retained VSC, having regard to the compliant Daylight Distribution within this room can be considered to be acceptable and certainly not so harmful given it characterises nearby properties light receipt so as to warrant the refusal of this application.
- 10.197 24-28 Ashmount Road: In terms of VSC losses, none of these properties would experience a loss of VSC greater than 20% and therefore are found BRE compliant. In terms of Daylight Distribution, none of these properties would experience a loss of VSC greater than 20% and therefore are found BRE compliant.
- 10.198 28 Ashmount Road – loss of winter sunlight – ground floor window W1 (reduced from 7 to 4 hours) loss of 43%, falling below 5 hours total at winter. At the first floor level, window W1 would lose 25% of winter sun, winter hours of sun reduced from 4 to 3 (below 5). Whilst this is regrettable, given the development

would introduce a street facing development into a gap site, the failures are as a result of filling in the gap in the streetscene rather than representing an unacceptable development. These losses are acceptable, particularly as restricted to winter sun only.

10.199 2-38 Gresley Road: In terms of VSC losses, none of these properties windows would experience a loss of VSC greater than 20% and therefore are BRE compliant.

10.200 In terms of Daylight Distribution, all rooms within properties 4 and 8-38 Gresley Road would retain 80% or more of their existing daylight levels within all rooms of their properties. Nos. 2 and 6 Gresely Road would experience greater than 20% losses as set out below:

- 2 Gresley Road – the ground floor kitchen is stated to experience a loss of 23% of existing daylight levels within the room. The ground floor living room would experience a loss of 24% of its existing daylight within the room.
- 6 Gresely Road – the ground floor room (stated to be a kitchen) would experience a loss of 30% its former value.

10.201 It should be noted however that the above results were tested on Block B2 being 1.25m closer than it is now proposed. Having regard to the movement of this block, which would inevitably improve the daylight receipt to these rooms, the above losses are considered to have been reduced. As the losses are marginally above the BRE Guideline of 20% they are considered to be acceptable. In terms of sunlight, all of the windows facing the development site are north facing and therefore do not require testing for sunlight purposes.

Dwelling Mix

10.202 The scheme proposes a total of 46 residential units with an overall mix comprised of:

Dwelling Type	Social Rent (No. units / %)	Policy Target Mix	Shared Ownership (No. units / %)	Policy Target Mix	Private (No. units / %)	Policy Target Mix
One Bedroom	3 /12.5%	0	2 / 18.2%	65%	3 /27.3%	10%
Two Bedroom	6 /25%	20%	9 /81.8%	35%	8 /72.7%	75%
Three Bedroom	11 /46%	30%	0	0	0	15%
Four Bedroom	4 /16.5%	50%	0	0	0	0

Total	24/100%	100%	11/ 100%	100%	11/ 100%	100%
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- 10.203 Part E of policy CS12 of the Islington Core Strategy requires a range of unit sizes within each housing proposal to meet the needs in the borough, including maximising the proportion of family accommodation in both affordable and market housing. In the consideration of housing mix, regard has to be given to the constraints and locality of the site and the characteristics of the development as identified in policy DM3.1 of the Development Management Policies.
- 10.204 The affordable rent (at target rent level) dwelling mix, when compared to the target dwelling mix departs in as much as an over provision of 1 and 2 bedroom units and an under provision of large family units. The shared ownership units do not meet the policy target mix, with an overprovision of 2 bed units and an under-provision of one bedroom units.
- 10.205 The private dwelling mix has an over provision of 1 bedroom units, and an under provision of 3 bedroom units, however the two bedroom units are relatively in line with policy requirements.
- 10.206 The supporting text of Development Management policy DM3.1 relates to the objectives of Core Strategy Policy CS12, stating ‘there may be proposals for affordable housing schemes that are being developed to address short term changes in need/demand as a result of specific interventions (for example, efforts to reduce under-occupation). In these situations deviation from the required policy housing size mix may be acceptable.
- 10.207 Since the adoption of policy DM3.1, which was informed by Islington’s Local Housing Needs Assessment (2008) changes to housing legislation (the Welfare Reform Act 2012) to address the under occupation of social housing have created a greater demand for smaller social housing units. This is reflected by the higher proportion of 1 and 2 bedroom units proposed that will allow for mobility within the social housing sector to accommodate these national changes to the welfare system. The provision of smaller units will allow for mobility within the borough which would help to address under occupation. This is acceptable as priority has been given to the provision of larger units within the social / affordable rent tenure rather than family units in the private.
- 10.208 For the reasons set out above it is considered that on balance the proposed dwelling mix is acceptable in this case.

Affordable Housing and Financial Viability

- 10.209 The London Plan, under policy 3.11 identifies that boroughs within their LDF preparation should set an overall target for the amount of affordable housing provision needed over the plan period in their area and separate targets for social rented and intermediate housing and reflect the strategic priority accorded to the provision of affordable family housing. Point f) of this policy identifies that in setting affordable housing targets, the borough should take account of “the viability of future development taking into account future resources as far as possible. “

- 10.210 Policy CS12 of the Islington Core Strategy sets out the policy approach to affordable housing. Policy CS12G establishes that *“50% of additional housing to be built in the borough over the plan period should be affordable and that provision of affordable housing will be sought through sources such as 100% affordable housing scheme by Registered Social Landlords and building affordable housing on Council own land.”*
- 10.211 With an understanding of the financial matters that in part underpin development, the policy states that the Council will seek the *“maximum reasonable amount of affordable housing, especially social rented housing, taking into account the overall borough wide strategic target. It is expected that many sites will deliver at least 50% of units as affordable subject to a financial viability assessment the availability of public subsidy and individual circumstances on the site.”*
- 10.212 Policy CS12 confirms that an affordable housing tenure split of 70% social rent housing and 30% intermediate housing should be provided.
- 10.213 The Affordable Housing Offer: The proposed development would provide a total of 46 residential units (both for private sale and affordable housing). A total of 35 of these would comprise affordable housing (76% by units and 79% measured by habitable rooms). The 35 affordable units would be split between 24 affordable rent units – although the rents would be set at target rent level, therefore being equivalent to social rents (92 habitable rooms) and 11 shared ownership units (31 habitable rooms) representing a 75/25% split.
- 10.214 Within the affordable housing provision there is a policy requirement for 70% of provision to be social rent / affordable rent and 30% as intermediate/shared ownership. Having regard to the proposed affordable tenure split, given the level of demand for social rent units, the split prioritising social rent units is considered to be acceptable and is supported.
- 10.215 Islington Council would receive full nomination rights to the affordable housing units.
- 10.216 The proposal fails to provide 100% affordable housing as sought by policy CS12 for developments on Council’s own land. The proposed mix includes private housing to financially support the delivery of the affordable housing element.
- 10.217 Viability Review: In accordance with policy requirements, a financial viability assessment has been submitted with the application to justify the proportion of affordable housing offered. In order to properly and thoroughly assess the financial viability assessment, the documents were passed to an independent assessor (BPS) to scrutinise and review.
- 10.218 The applicant’s Viability Assessment identified that the development as proposed is in deficit by in the region of £1 million pounds based on the land receipt agreed between the Council and ISHA at the time of submitting this planning application. Being in deficit by this much means that no additional affordable housing could be delivered by this scheme and to deliver the amount within the scheme relies on public subsidy (in the form of GLA funding).

- 10.219 BPS requested a justification for the agreed land receipt figure being utilised by the applicant as the Benchmark Land Value. It should be noted that the land receipt figure is not based on a valuation of the land, but is based on previously demonstrated funding required by Education to feed into their schools improvements pipeline. Discussions are ongoing between the Council's Education and Housing Departments and it is likely the land receipt may be reduced, which would result in a higher amount of affordable housing being provided. The affordable housing levels within the s106 agreement therefore are to be expressed as a minimum provision.
- 10.220 BPS, however, must test a schemes viability based on standard practice, and therefore has taken recent D1 (community use) transactions (adjusted due to their suspicions these sales reflected redevelopment hope value), to inform their view on an appropriate Benchmark Land Value in the open market. BPS draw the conclusion that utilising an existing use value could in fact result in a higher Benchmark Land Value for the site than that currently agreed between the Council and the Applicant. Should this have been the case, then the scheme would have been even more in deficit meaning the scheme in pure commercial terms would be even more undeliverable or requiring even more grant funding in order to deliver the quantum currently proposed.
- 10.221 The BPS Report is attached at **Appendix 4**, redacted in accordance with the request from ISHA due to commercial sensitivity in relation to how they operate as a company within the market or in terms of their bidding processes when competing for sites.
- 10.222 Though Core Strategy Policy CS12 seeks 100% affordable housing schemes from developments by Registered Providers it is not considered that a failure to provide 100% affordable housing is contrary to that policy *where it is shown that considerable public subsidy is required to support the lower provision. In this case, it is not considered that it would be reasonable to require (in planning terms) an additional amount of public subsidy/grant funding to be committed to this scheme to provide a 100% affordable scheme.*
- 10.223 The offer of 76% affordable housing by units (79% by habitable rooms) is considered to deliver a good mix of tenures and as supported by a financial viability assessment, is considered the maximum reasonable amount of affordable housing is delivered and thus is considered to accord with policy. This provision is secured within the s106 legal agreement.

Sustainability

- 10.224 The Core Strategy CS10 requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Major developments are also required to comply with Islington's

Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.

- 10.225 Sustainable Urban Drainage: A Floodrisk Assessment and Sustainable Urban Drainage Strategy prepared by Conisbee was submitted by the applicant. The site is located within Environmental Agency Flood Zone 1 and the development has been assessed as appropriate for this zone. Additionally, it is classified as at low risk of overland flooding. Additionally, the site is not susceptible to ground water flooding. Surface water flooding in the area is restricted to Ashmount Road itself, and due to site sloping, water would not enter the application site from the street given its lower position relative to the site levels.
- 10.226 The proposed development would reduce the impermeable area at the site from 3,956sqm to 2,866sqm resulting in a net improvement (or decrease of impermeable area) of 1090sqm. This is stated to have the effect of reducing the discharge rate from 54.9 l/s to 20 l/s (50 l/s / ha).
- 10.227 In allowing for a surface water discharge rate plus a 30% allowance for a climate change storm event, a below ground attenuation tank of at least 114sqm is required to achieve this requirement. A below ground attenuation tank is proposed that would be located beneath the vehicle entrance way to the site. **Condition 23** is recommended to secure the installation of this in accordance with 'Drainage Layout drawing: C100 Rev P4'. The condition will also require details of a maintenance strategy for the life of the development to be carried out by the applicant. The floodrisk assessment identifies no water table issues to be created as a result of this proposal.
- 10.228 Green roof: The above SUDs strategy includes the provision of a green roof to Block A2. Details of this green roof are to be secured by **condition 22** to ensure that the substrate depth and wildflower planting effectively maximise both attenuation and biodiversity benefits.
- 10.229 Water Usage: The proposal is required to comply with policy CS10 that stipulates water usage targets for residential developments at 95 litres / person/ day. **Condition 36** secures compliance with this water target level.

Energy Efficiency and Renewable Energy

- 10.230 The London Plan (2015) Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through energy efficient design, the use of less energy and the incorporation of renewable energy. London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 10.231 All development is required to demonstrate that it has minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation (CS10). Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of at

least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network in possible). Typically all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock (CS10).

- 10.232 Carbon Emissions: The applicant proposes a reduction in regulated emissions of 35% over 2013 Building Regulations (complies with the London Plan policy requirement) and a reduction in total CO2 emissions of 18%, which falls short of the Islington policy requirement to save 27% (as a decentralised energy network connection is not possible at this site). Whilst the total emissions target falls short of policy, the Energy Team have accepted that the scheme is designed to maximise savings.
- 10.233 CO2 Off-set / Zero Carbon: Islington's policy is to off-set all remaining CO2 emissions down to zero carbon development. This is applied to total emissions. The applicant has agreed to the figure calculated by the Council's Energy Officer and a s106 financial contribution of £96,734 is to be secured within the legal agreement.
- 10.234 Efficiency: The Energy Statements state that through efficient building fabric, the design of the buildings would achieve a 6% reduction in total CO2 emissions from energy demand, which is supported by the Energy Team.
- 10.235 Heating and CHP: Currently there is no network within 500 metres of the site and as such no decentralised energy network connection is required at the outset of the development.
- 10.236 The development proposes individual gas boilers for space heating and hot water, supplemented by solar thermal for the hot water. No active cooling is proposed. The provision of individual boilers rather than CHP has been supported by the Energy Team.
- 10.237 Policy DM7.3 of the Development Management Policies document identifies that major development should connect to a Shared Heating Network linking neighbouring development and existing buildings, unless it can be demonstrated that this is not reasonably possible. The Energy Officer still requests that discussions continue with the Whitehall Park school to explore the ability to provide a shared heat network, and this is secured within the s106 agreement.
- 10.238 Renewables: The proposal includes the provision of a combined solar system with apartments sharing solar panels, maisonettes and houses having their own solar thermal panels. To achieve the targets, some Photovoltaic (PV) systems have been included for larger units to supplement the Solar Thermal. This is supported by the Energy Team.
- 10.239 Overheating and Cooling: The energy strategy includes an Appendix (G) that deals with Dynamic Thermal Modelling. This and the supporting report concludes that solar UV reducing film, structural shading and natural ventilation strategies are proposed and sufficiently address future temperatures.

- 10.240 Green Performance Plan: This measures the buildings energy performance as compared to anticipated performance and is secured by the s106 legal agreement.
- 10.241 Energy Summary: the proposed energy efficiency measures are supported by the Council's Energy Team, with ongoing discussions surrounding a local connection between this development and the school site. A planning condition is recommended to secure the energy strategy set out above, including further details of PV panel locations (**condition 38**).

Highways and Transportation

- 10.242 Ashmount Road runs from northwest to southeast, connecting Hornsey Lane with Gresley Road. All roads in the vicinity have a 20mph speed limit and are lit accordingly. Ashmount Road is a two-way road although it should be noted that the carriageway is one-way at the northern end allowing exit onto Hornsey Lane only. All vehicular traffic has to approach from either Dresden Road or Gresley Road to access the site.
- 10.243 The roads surrounding the development site fall within a Controlled Parking Zone. Parking is permitted on Ashmount Road and surrounding roads to permit holders only (zone IS-Z) in the parking bays marked on-street either side Monday to Friday 10.00am to 2.00pm.
- 10.244 Public Transport: There are no stations that fall within the maximum 960m walking distance threshold used for Public Transport Accessibility Level (PTAL) assessment. However, it should be noted that Archway Underground Station can be reached by all six local bus services accessible to the site.
- 10.245 Buses: There are six bus services available within a short walk. The nearest bus stops to the site are situated on Hornsey Lane near the junction with Stanhope Road approximately 100m away (just over a 1-minute walk) providing access to bus service W5. There are bus stops 523m away on Archway Road (a 6.5-minute walk) where a further 3 bus services are available (routes 43, 134, and 263). A further set of bus stops on St John's Way within 600m distance (a 7.5-minute walk) serve routes 41 and 210.
- 10.246 Public Transport Accessibility Levels (PTAL) is the most widely recognised form of measuring accessibility to the public transport network within London. The assessment combines data regarding the frequency of public transport services and walking distance between the site and the service to establish a measure of the relative density of the public transport network. PTALs range from 1 to 6 where 6 represents a high level of accessibility and 1 a low level of accessibility.
- 10.247 The site gives a corresponding PTAL of 2 representing a low level of public transport accessibility. This level of accessibility provides the future residents with a reasonable range of public transport alternatives to the private car. The number of cycle routes close to the site offer a further good public transport option.
- 10.248 Altered Site Access: A new access road is to be created into the development accessed off Ashmount Road (via the existing access) for servicing, emergency access and for Blue Badge holders only. Pedestrian and cycle access is also from

the new access road from Ashmount Road. There are footways either side of the carriageway of Ashmount Road and a kerb build out to the east of the site, which reduces the carriageway width to cross by pedestrians.

- 10.249 The proposal seeks to modify the existing dropped kerb on the site frontage to Ashmount Road to serve the new development, in which case provision for this is secured by legal agreement (**paragraph 6** of Recommendation A).
- 10.250 Vehicle Parking: The proposal states that five (5) wheelchair accessible car parking spaces are to be accommodated on-site. In accordance with policy CS10 of the Core Strategy and policy DM8.5 of the Development Management Policies, wheelchair accessible car parking are not considered to conflict with the borough's car free policy and are supported, for use by blue badge holders only. In order to have the correct line markings put in place on site a condition (**condition 33**) is recommended to secure updated details and to ensure only vehicles displaying a Blue Badge can utilise them. In this regard, no requirement for an off-site financial contribution towards wheelchair accessible parking is required.
- 10.251 Residential occupiers of the new units would not be eligible to attain on-street car parking permits for the surrounding Controlled Parking Zone (CPZ) in the interests of promoting the use of more sustainable forms of transport and tackling congestion and overburdened parking infrastructure, this is secured in the s106 Agreement.
- 10.252 The exceptions to this would be where, in accordance with Council parking policy, future persons occupying the residential development are currently living in residential properties within Islington prior to moving into the development and they have previously held a permit for a period of 12 months consecutive to the date of occupation of the new unit. These residents are able to transfer their existing permits to their new homes. Residents who are 'blue badge' (disabled parking permit) will also be able to park in the CPZ.
- 10.253 Objections have been received against the ability for non-permit holders to still park in the immediate surrounding areas. For this reason, residents have stated that much more on-site car parking should be provided. Whilst these concerns and the public transport accessibility levels for this site are noted, the adopted planning policy does not allow for on-site car parking within the borough. In this regard the scheme is policy compliant and the impacts on the local road network are deemed to be acceptable. Having regard to the above, the site is still well served by bus and cycle routes which lead to transport rail interchanges with ease, reducing the reliance on the private motor car.
- 10.254 Predicted transport use and movements: The proposed development is considered likely to generate (based on TRAVL using schemes within a PTAL of 1 to 3) the following peak movements:

	Morning Peak		Evening Peak	
	Arrival	Departure	Arrival	Departure
Car	4	10	8	5
Walk & Public Transport	4	18	11	7

- 10.255 Caution must be used for these figures as they do not reflect 'car free schemes' and cannot be adjusted to reflect CPZ locations.
- 10.256 Delivery and Servicing Arrangements: Policy DM8.6 of the Development Management Policies (2013) requires commercial developments in excess of 200 square metres to provide on-site servicing. On-site servicing is provided within this development, with refuse and emergency vehicles able to enter and exit in forward gear. This would require the removal of one on-street parking bay adjacent to the site entrance, and an amendment to the existing kerb design both of which are secured as part of the legal agreement (paragraph 6 of Recommendation A). No further delivery and servicing plan is necessary by planning condition however a condition requiring this entrance to remain unobstructed at all times is recommended (**condition 32**).
- 10.257 Cycle Parking: The proposal would provide a total of 84 cycle parking spaces, in accordance with the requirements of Appendix 6 of the Development Management Policies 2013, **condition 31** secures this provision. The locations are appropriate however the final design of enclosures is unclear (north of Block A1/A2 and south of Block B1) and further details are sought by the above condition.
- 10.258 Refuse: Refuse and recycling storage is provided in four locations within the development, two within Block A and two within Block B. Ground floor street fronting properties could utilise their own black bins in accordance with the standard Ashmount Road collection arrangements. This provision has been reviewed by the Council's Street Environment Team and found to be acceptable. **Condition 30** secures the provision of these storage spaces prior to first occupation of the blocks they serve. Block C must have Block B provision provided prior to it being first occupied.
- 10.259 Construction (including demolition): A 'Demolition Survey Report' prepared by Conisbee Consulting Structural Engineers was submitted with the application. It should be noted that the report confirms that the developer would employ a specialist contractor to undertake an Asbestos Survey and if any is found, suitable action would be taken to remove and dispose of it (noted as an objection on the grounds of asbestos was received).
- 10.260 Objections have been received to suggested construction hours set out within the applicant's documentation. Objectors have requested no earlier than 8am start, and others that construction take place only between 8am (weekdays) and 9am (Saturdays) and 6pm.
- 10.261 Hours of construction are governed by the Control of Pollution Act 1974, and generally Islington has adopted standard hours of noisy working as part of its Code of Construction Practice (which the applicant must abide by as part of a s106 legal agreement requirement). Those noisy construction work hours are set out below and would form part of (**conditions 7 and 8**):
- *8am and 6pm, Monday to Friday and*
 - *8am and 1pm, Saturdays.*

Noisy works must not take place outside of these hours (including Sundays and public and bank holidays).

- 10.262 Adherence to the above requirements as well as the applicant submitting detailed construction logistics and environmental management plans covering the demolition and construction phases would ensure along with the construction monitoring fee of £4,600 that the development of the site would not cause undue impacts on nearby residential amenity.

Contaminated Land

- 10.263 There is nothing in the Council's records to suggest there has been a previously polluting use that would warrant further consideration and treatment, with the exception of Japanese Knotweed which has previously been addressed in this report. Concerns regarding asbestos have also been addressed above.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 10.264 The development would be subject to Islington CIL. However relief would be granted as no CIL is secured upon Affordable Housing. However a formal notice must be submitted prior to works commencing to enable this to be calculated.
- 10.265 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development. This means that the measures required to mitigate the negative impacts of this development in terms of carbon emissions cannot be funded through Islington's CIL. Separate contributions are therefore needed to pay for the necessary carbon offset and highway reinstatement to ensure that the development does not cause unacceptable impacts on the local area.
- 10.266 None of the financial contributions included in the heads of terms represent general infrastructure, so the pooling limit does not apply. Furthermore, none of the contributions represent items for which five or more previous contributions have been secured.
- 10.267 The carbon offset contribution is a site-specific obligation, with the purpose of mitigating the negative impacts of this specific development. The carbon offset contribution figure is directly related to the projected performance (in terms of operation emissions) of the building as designed, therefore being commensurate to the specifics of a particular development. This contribution does not therefore form a tariff-style payment.
- 10.268 The highway and footway reinstatement requirement is also very clearly site-specific. The total cost will depend on the damage caused by construction of this development, and these works cannot be funded through CIL receipts as the impacts are directly related to this specific development.

10.269 None of these contributions were included in Islington's proposed CIL during viability testing, and all of the contributions were considered during public examination on the CIL as separate charges that would be required in cases where relevant impacts would result from proposed developments. The CIL Examiner did not consider that these types of separate charges in addition to Islington's proposed CIL rates would result in unacceptable impacts on development in Islington due to cumulative viability implications or any other issue.

Other Matters

10.270 The site accommodates an electricity substation that is required to be re-provided. As such, a new substation (to be located within Block B1) must be provided prior to the decommissioning and removal of the existing substation. An above ground water booster is proposed within the development, within the approximate current substation location and this would help to achieve the requisite water pressure for the development.

SUMMARY AND CONCLUSION

Summary

10.271 A summary of the proposal, its adherence to planning policy and a summary of objections received is set out at paragraphs 4.1-4.13 of this report.

Conclusion

10.272 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

1. On-site provision of affordable housing comprising of 35 out of the 46 units as affordable housing (76% by units). **Number of affordable units required:** 24 affordable rent units (3 x 1 bed flats, 6 x 2 bed flats, 11 x 3 bed flats and 4 x 4 bed houses) and 11 shared ownership units (2 x 1 bed and 9 x 2 bed flats).

Note: The affordable rent units are to be defined within the s106 agreement as having rents set at Target Rent levels, which would have the effect of securing them as equivalent to social rent properties.

2. Submission of an updated viability appraisal if the development has not been substantially implemented within 12 months of the grant of planning consent. Updated appraisal to be submitted prior to substantial implementation with surplus profit used to provide additional onsite affordable housing in accordance with the Development Plan and as set out in an additional affordable housing schedule forming part of the S106 agreement.
3. Prevention of wasted housing supply. All dwellings required to be fully furnished and equipped for use as a home, and not to be left unoccupied for any continuous period of 3 consecutive months or more (plus other requirements as per Islington's Wasted Housing Supply SPD). The applicant agrees to include these obligations in sales and marketing information and in any head lease or subleases that may be granted.
4. Requirement to write into the lease that future residents of Block B2 accept the relationship between the TPO trees and their properties and understand that there will be shading, leaf and honey dew drop and branches close to their properties. The tree may prevent the full range of successful planting opportunities including lawn establishment and confirm that they acknowledge this and will not therefore bring unrealistic requests to prune these trees to the Council.
5. The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.

6. Alteration to the existing dropped kerb to the site fronting Ashmount Road to facilitate the creation of the access road into the site including the removal of one on-street parking bay in order to facilitate swept path turning for refuse and emergency vehicles to enter the site. Works to be carried out by the Council and all costs to be borne by the developer.
7. Removal of eligibility for residents' parking permits.
8. Compliance with the Code of Employment and Training.
9. Facilitation, during the construction phase of the development, of the following number of work placements: 2. If these placements are not provided, LBI will request a fee of: £10,000. Note: ISHA have their own programme – and are seeking to secure that programme in place of standard clauses. This is still being considered internally, however this could be considered acceptable in place of the standard Islington approach.

Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practise of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£9.15 as at 04/04/15).

10. Compliance with the Code of Construction Practice, including a monitoring fee of: £4,600 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
11. A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount: **£96,734**.
12. Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
13. Submission of a Green Performance Plan.
14. Submission of a draft framework Travel Plan with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the

development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).

15. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

That the grant of planning permission be subject to **conditions** to secure the following:

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall begin no later than the expiry of 18 months from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>Drawing Numbers: 491_PL_101 Rev C; 102 Rev B; 103 Rev B, 104 Rev B; 105 Rev C, 106 Rev C; 107 Rev C; 108 Rev A; 109 Rev A; 110 Rev A; 111 Rev A; 112 Rev A; 201 Rev A; 202; 300 Rev C, 301 Rev B, 302 Rev C, 303 Rev C, 304 Rev C, 305 Rev A; 306 Rev A, C100 Rev C4 and Topographical Survey prepared by Field Surveyors Limited drawings ref: FSL/TOP/MAM/WPS/100 Rev A</p> <p>Tree Survey prepared by Greenlink dated 11 December 2015 with associated drawings: 14_1054_TPP_NT_Rev_C (Tree Protection Plan – dated 07.12.2015)</p>

	<p>and 14_1054_NPP_NT (New Planting Projections – dated 16.12.2015)</p> <p>Floodrisk Assessment and Sustainable Drainage Strategy Rev 3 prepared by Conisbee dated 14 May 2015; Ecological Scoping Survey Report prepared by Greenlink Ecology Ltd dated 11th December 2014; Energy Strategy ref: G6/K140701 Rev 02 prepared by Calford Seaden dated May 2015; Planning Statement prepared by Nathaniel Lichfield & Partners (13327/IR/FY) dated July 2015; Statement of Community Involvement prepared by Local Dialogue dated May 2015; Noise Impact Assessment Report 12685.NIA.01 prepared by KP Acoustics dated 22/05/2015; Utilities Assessment Ref: G6/K140701 Rev 0 dated May 2015; 'Demolition Survey Report' prepared by Conisbee Consulting Structural Engineers 140488/SBrookes Rev 1.1 dated 16 January 2015; Daylight, Sunlight and Overshadowing Assessment prepared by NLP dated July 2015, Daylight and Sunlight Addendum Note prepared by NLP dated 6 November 2015.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Contract for Redevelopment (Details)</p> <p>CONDITION: No demolition shall take place unless and until a contract for the associated re-development of the site has been secured and evidence of such contract(s) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: To prevent premature demolition in a Conservation Area, in order to protect the heritage asset including the character and appearance of the designated heritage asset (conservation area) and prevent a gap site from occurring.</p>
4	<p>Impact Piling – Thames Water</p> <p>CONDITION: No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.</p>
5	<p>Demolition and Site Clearance - Bird Breeding Season</p> <p>CONDITION: No site clearance shall take place within bird breeding season. As such clearance works may only take place within and between the months of</p>

	<p>February – August.</p> <p>Should any clearance works be intended to be undertaken during these months, works must be carried out under the supervision of an experienced ecologist who will check the habitats for the presence /absence of any birds nests.</p> <p>If any active nests are found then works with the potential to impact on the nest must cease and an appropriate buffer zone should be established until the young have fledged and the nest is no longer in use.</p> <p>REASON: In the interests of protecting the biodiversity value of the site and the ecology of the surrounding area.</p>
6	<p>* Development Phasing Plan * CIL Pre-Com Condition</p>
	<p>CONDITION: Notwithstanding the Demolition Survey Report submitted and approved, no development (including demolition works) shall take place on site unless and until a programme/plan indicating the extent of the separate construction phases of the development and the order in which the phases are to be completed has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall not be carried out otherwise in accordance with the programme/plan so approved unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure that the phased construction is logical, appropriate and does not unduly impact on neighbouring residential amenity or the locality generally.</p>
7	<p>* Code of Construction Practice Compliance Report * CIL Pre-Com Condition</p>
	<p>CONDITION: Notwithstanding the Demolition Survey Report submitted and approved, no development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority.</p> <p>This condition may be discharged in two parts, or phased in accordance with the details approved under condition 6:</p> <ol style="list-style-type: none"> a) Demolition phase; and b) Construction phase. <p>The approved Statement(s) shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ol style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities

	<p>vi. measures to control the emission of dust and dirt during construction</p> <p>vii. a scheme for recycling/disposing of waste resulting from demolition and construction works</p> <p>The report(s) shall confirm that noise works will not take place outside of the following hours (including Sundays and public and bank holidays):</p> <ul style="list-style-type: none"> • 8am and 6pm, Monday to Friday and • 8am and 1pm, Saturdays. <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
8	<p>Construction Environment Management Plan (Details)</p> <p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Environmental Management Plan (CEMP) assessing the environmental impacts of the development has been submitted to and approved in writing by the Local Planning Authority.</p> <p>This condition may be discharged in two parts, or phased in accordance with the details approved under condition 6:</p> <ol style="list-style-type: none"> Demolition phase; and Construction phase. <p>The details shall include (but not limited to):</p> <ol style="list-style-type: none"> noise; air quality including dust, smoke and odour; vibration; and TV reception). <p>The report(s) shall assess impacts during the demolition and construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The report shall pay reference to Islington's Code of Construction Practice the GLA's SPG on Control of Dust from construction and demolition (including the NMRR register), BS5228:2009 and any other guidance.</p> <p>The report(s) shall confirm that noise works will not take place outside of the following hours (including Sundays and public and bank holidays):</p> <ul style="list-style-type: none"> • 8am and 6pm, Monday to Friday and • 8am and 1pm, Saturdays. <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to minimise impacts on the amenity of neighbouring</p>

	residents, and maintain highway safety and the free flow of traffic on the surrounding highway network.
9	Japanese Knotweed Removal Method Statement (Details)
	<p>CONDITION: A Japanese Knotweed Removal Method Statement (JKRMS) shall be prepared by a suitably qualified expert and submitted to and approved in writing by the Local Planning Authority prior to any site clearance works commencing on to the west of and any part of the site that would accommodate Block C and the proposed adjoining playspace area.</p> <p>The JKRMS shall include details of the method of removal / chemical treatment for each stand of Japanese Knotweed on site, including all vehicles, machinery and chemicals to be used, the routes for vehicles and operatives to access the stand and remove contaminated soil and vegetation, the protection measures (fencing, matting etc) used to protect surrounding trees and habitat.</p> <p>The Japanese Knotweed removal shall be undertaken in strict accordance with the details so approved.</p> <p>REASON: In order to minimise the impact of works to remove Japanese Knotweed on existing trees and biodiversity at the site and to prevent the spread of the Japanese Knotweed beyond the site.</p>
10	Materials and Samples
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Solid red brickwork b) Mortar colours – light pigmentation to internal mews elevations and matching mortar to the brick for Blocks A1 and B1 c) Brick panels with different mortars to be constructed on site; d) Dog tooth detailing – 1:20 drawings e) Brick texture - 1:20 drawings; f) window treatment (including sections and reveals); g) roofing materials (Riven Edge Slate); h) balustrading treatment (including sections); i) any other materials to be used. j) A green procurement plan. <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>

11	Block A1 – Flank Wall Treatment
	<p>CONDITION: Notwithstanding the approved drawings, prior to superstructure works commencing on Block A1, a detailed drawing (1:20) of the north (flank) elevation of Block A1 to introduce brickwork or other features to provide an interesting treatment shall be submitted to and approved in writing the Local Planning Authority.</p> <p>The approved details shall be carried out in the construction of Block A1 and maintained as such thereafter.</p> <p>REASON: The building line of block A1 would sit forward 5.6m of the recently approved Whitehall Park school building as such, this would leave a large degree of Block A1's northern elevation visible within the streetscene in views down Ashmount Road. Additional detailing will ensure a greater degree of visual interest would be provided to the streetscene and conservation area.</p>
12	Roof-level structures
	<p>CONDITION: Full details of any roof-top structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include the location, height above roof level, specifications and cladding and shall relate to:</p> <ul style="list-style-type: none"> a) roof-top plant; b) photovoltaic panels; c) ancillary enclosures/structure; and d) lift overrun <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
13	Removal of Permitted Development Rights (Compliance)
	<p>CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no additional windows, extensions or alterations to the dwellinghouse(s) hereby approved shall be carried out or constructed without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouse(s) in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme.</p>
14	Electrical Substation (Details)
	<p>CONDITION: Detail of the electrical substation including its location, acoustic specifications, cladding/facing shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.</p>

	<p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In the interest of protecting amenity and to ensure that the Authority may be satisfied that any substation(s) does not have a harmful impact on the character and appearance of the building the conservation area or the existing streetscene.</p>
15	<p>Bird and Bat boxes</p> <p>CONDITION: In accordance with the recommendations within the approved Ecological Scoping Survey Report prepared by Greenlink Ecology Ltd dated 11 December 2014, the development shall be carried out in accordance with the approved plans and incorporating the following bird and bat boxes:</p> <ul style="list-style-type: none"> a) 6 x Schwegler 1SP house sparrow terraces (2 per apartment block, above circa 4m high); b) 6 x 17a Schwegler triple cavity swift boxes (2 per apartment block, above circa 5-6m high ideally at eaves level); and c) 9 x 1MR Schwegler avianex boxes (3 per apartment block above 2-3, high) <p>The development shall be carried out incorporating the requirements set out above and retained as such thereafter.</p> <p>REASON: In the interests of protecting and enhancing the biodiversity value of the site in accordance with Development Management Policies.</p>
16	<p>Boundary Treatment (Details)</p> <p>CONDITION: Details (1:20) of all boundary treatment(s) including cross sections and elevations and a 1:50 scale (minimum) site location sections shall be submitted to and approved in writing by the Local Planning Authority prior to the practical completion of the development. The details shall include all walls, fencing, gates, footings, their design, appearance and materials, the details shall indicate whether the boundary treatments form proposed, retained or altered boundary treatments.</p> <p>The details shall include an: arboricultural method statement for all boundaries informing the:</p> <ul style="list-style-type: none"> - placement of footings; and - the method of constructing them (ie. by hand dig). <p>The drawings shall also be informed by a site survey that shall accompany the discharge of condition submission.</p> <p>The boundary treatments shall be carried out strictly in accordance with the details so approved, installed/erected/operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the resulting boundary treatment(s) is functional, attractive and secure, and designed and installed in a way that protect the roots</p>

	of retained, protected trees.
17	* Arboricultural Method Statement
	<p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the appropriate working methods (the arboricultural method statement, AMS) in accordance with British Standard BS 5837 2012 – Trees in Relation to Design, Demolition and Construction has been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2011, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013</p>
18	Tree Retention and Removal (Compliance)
	<p>CONDITION: Planning permission is only hereby granted for the removal of the 18 trees as listed at Paragraph 4.2 of the Tree Survey Report, prepared by Greenlink dated 11 December 2015 and as shown on the Tree Protection Plan dated 07.12.2015 drawing ref: 14_1054_TPP_NT_Rev C.</p> <p>All other trees shown for retention on drawing no. Tree Protection Plan dated 07.12.2015 drawing ref: 14_1054_TPP_NT_Rev C shall be retained.</p> <p>REASON: In the interest of the protection of trees and to safeguard visual amenities in accordance with Development Management Policies DM6.5, the Site Allocation OIS10 and the Planning Brief (2012).</p>
19	Tree Protection Measures
	<p>CONDITION: Notwithstanding the details hereby approved, detailed tree protection measures shall be submitted to and approved in writing by the LPA prior to any works commencing on the site. This may be able to be discharged on a phased basis in accordance with condition 6, but must detail how the tree protection will be altered based on the phasing arrangements. It should inform the construction process details.</p> <p>The details shall illustrate detailed proposals for the erection of tree protection fencing and be prepared in accordance with the appropriate British Standard.</p> <p>REASON: Whilst Tree Protection Measures would be covered within the AMS (condition 17) given the sensitivity and great need to protect the retained trees on the site, a specific condition just dealing with tree protection mechanisms was considered necessary. This condition will enable clear approval of these details to be kept on site and for all on-site contractors to be briefed on the location and the need for them to be kept in place at all times. In order to ensure compliance with policy DM6.5 of the Development Management Policies (2013).</p>
20	* Site Supervision

	<p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme of supervision and monitoring for the arboricultural protection measures outlined in Condition (19) and in accordance with para. 6.3 of British Standard BS5837: 2012 - Trees in Relation to design, demolition and construction - recommendations has been approved in writing by the local planning authority.</p> <p>The scheme of supervision shall be carried out as approved and will be administered by a qualified arboriculturist instructed by the applicant. This scheme will be appropriate to the scale and duration of the works and will include details of:</p> <ul style="list-style-type: none"> a. Induction and personnel awareness of arboricultural matters; b. Identification of individual responsibilities and key personnel; c. Timing and methods of site visiting and record keeping. d. Procedures for dealing with variations and incidents. <p>This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed arboriculturist during construction.</p> <p>REASON: To ensure the appropriate retention and protection of suitable trees for applications which involve complex tree issues in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2011, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013</p>
21	<p>Landscaping (Details)</p> <p>CONDITION: Prior to any superstructure works commencing on the site, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) existing and proposed underground services and their relationship to both hard and soft landscaping; b) proposed trees: their location, species, size, available rooting volume and tree pit detail; c) soft plantings: including grass and turf areas, shrub and herbaceous areas; d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; e) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving (a single pavement material only will be accepted), furniture, steps and if applicable synthetic surfaces; and g) details of bollards, lighting which must be carefully considered and properly integrated into the landscape scheme; h) any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the</p>

	<p>development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2011, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013.</p>
22	<p>Green/Brown Biodiversity Roofs (Compliance)</p> <p>CONDITION: The biodiversity (green/brown) roof(s) located on the roof of Blocks A1 (partly) and A2 shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with Drainage Layout Plan C100 Rev P4; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
23	<p>Sustainable Urban Drainage System (Details)</p> <p>CONDITION: Notwithstanding the approved details, confirmation of updated surface drainage works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The details shall be based on an assessment of the potential for disposing of surface water by means of sustainable drainage system and the location and positioning of proposed trees to be planted on the site.</p> <p>The submitted details shall include:</p> <ul style="list-style-type: none"> a) the scheme's peak runoff rate and storage volume and b) demonstrate how the scheme will achieve at least a 50% attenuation of the undeveloped site's surface water run off at peak times;

	<p>c) have regard to 'Drainage Layout drawing: C100 Rev P4 but provide a drainage plan that moves the drain location as close to the edge of Blocks B1 and B2 south elevation wall with details of depth of positioning, method of installation (having regard to tree protection requirements)</p> <p>d) be subject to the site supervision requirements of condition 20 above;</p> <p>e) confirm a ground attenuation tank of at least 114sqm being provided in order to achieve the 30% allowance for climate change storm event;</p> <p>f) a maintenance strategy to cover the operation of the drainage system for the life of the development.</p> <p>The drainage system shall be installed/operational in accordance with the details so approved prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure the sustainable management of water and to minimise the potential for water runoff, as well as maximise re-use of water.</p>
24	Playspace Provision (Details)
	<p>CONDITION: Details of the onsite children's playspace provision, which shall provide for no less than 85sqm of playspace contained within the location south of the western end of Block B2 and the eastern end of Block C specified on drawing 491_PL_112 Rev A and shall be submitted to and approved in writing by the Local Planning Authority prior to any landscaping works commencing on the site and prior to the first occupation of the development. The details shall include the location, layout, design of the playspace and its proposed equipment/features including details of a playground maintenance strategy.</p> <p>The children's playspace shall be provided strictly in accordance with the details so approved, installed/erected prior to the first occupation of the residential dwellings and shall be maintained as such thereafter.</p> <p>REASON: To secure the appropriate provision and design of children's playspace in order to ensure a high quality resulting development with high quality accommodation.</p>
25	MUGA Access Arrangements
	<p>CONDITION: Prior to first occupation of the development hereby approved, details of arrangements to secure access from the development site to the Multi Use Games Area (MUGA) located within the adjacent school site shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The details shall demonstrate that the MUGA will be accessible to children within the development site, outside of school hours including during holidays and weekends. The details shall demonstrate that discussions have also taken place as part of the schools s106 requirement to open playspaces within the school to the wider community.</p> <p>REASON: To secure the appropriate provision and access to children's playspace in order to ensure a high quality resulting development with high quality accommodation and playground access.</p>

26	<p>Obscurely Glazing Windows to Protect 1 Ashmount Road</p> <p>CONDITION: The following windows within Block B1 (as shown on floor plan: 491_PL_105 Rev C and elevation drawing 491_PL_302 Rev C) shall be obscurely glazed to the stated height above finished floor level (if stated) or entirely obscurely glazed and shall be retained as such permanently thereafter:</p> <ul style="list-style-type: none"> i) The circulation space windows at both first and second floor levels shall be obscurely glazed up to a minimum height of 1.7m above finished floor level (not needed to be fixed shut); ii) The bathroom windows at first and second floors (within units B1-5-1 and B1-8-2) shall be entirely obscurely glazed. There is no need to fix shut as this would prevent easy ventilation and given the room use would not cause unacceptable overlooking. iii) The bedroom window (B1) to unit B1-5-1 at first floor level shall be obscurely glazed up to a minimum height of 1.7m above finished floor level and fixed shut; iv) The bedroom window (B1) to unit B1-8-2 at second floor level shall be obscurely glazed up to a minimum height of 1.6m above finished floor level and fixed shut; <p>The above requirements shall be carried out as specified prior to first occupation of Block B1 and retained as such permanently thereafter.</p> <p>REASON: In the interests of protecting the residential amenity of occupiers of 1 Ashmount Road from undue overlooking due to the proximity of the development to the adjoining property (closer than 18m).</p>
27	<p>Screening of Balconies to Protect 1 Ashmount Road</p> <p>CONDITION: Notwithstanding the drawings and documents hereby approved, prior to any superstructure works commencing on Block B1 (excluding the substation) details of a half width, full height privacy screen to the balconies of residential units B1-5-1 and B1-8-2 (as labelled on floor plan 491_PL_105 Rev C) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The details shall illustrate a fully obscurely glazed panel for the half width of the balcony, with drawings at 1:20 scale.</p> <p>Block B1 shall then be constructed in accordance to these approved details and retained as such permanently thereafter.</p> <p>REASON: The balconies proposed at first and second floors measuring 7sqm are although at an oblique angle to the windows at 1 Ashmount Road (and a lesser extent 2 Ashmount Road) yet the distance is below the 18m guide within adopted policy DM2.1 (supporting text). As such the above obscure glazing treatment to half the balcony width is considered necessary. This would prevent more easily obtainable views into those nearby windows. With the above treatment in place, deliberate attempts to look into the adjoining windows would be needed, which is not how occupants utilise their private amenity space.</p>
28	<p>No permission for Block A1 Balcony and requirement for screening for</p>

	Block B1 Balconies internal to the site
	<p>CONDITION: Notwithstanding the drawings hereby approved, no permission is given for:</p> <p>a) Block A1 – the first floor balcony to shared ownership unit A1-5-1.</p> <p>Prior to first occupation of Block B1, details of balcony screening (to the north facing balcony edge) of the following unit balconies shall be submitted to and approved in writing by the LPA (as shown on drawing 491_PL_105 Rev C:</p> <p>a) B1-3-1 (Block B1 first floor)</p> <p>b) B1-6-2 (Block B1 second floor)</p> <p>The approved balcony screening details shall be installed prior to first occupation of Block B1 and retained as such permanently thereafter.</p> <p>REASON: No permission for the balcony proposed to Block A1, unit A1-5-1 as this would be able to mutually overlook the bedroom window of unit A1-6-1 and the balcony of Block B1 opposite. Screening is required for the Block B1 balconies as they are more effectively able to be screened to direct views along the mews road, away from views into habitable room windows of Block A1 /A2 opposite.</p>
29	FOB Access Arrangements to Block B2 Upper Floor Units to Gardens
	<p>CONDITION: A FOB access system shall be installed prior to first occupation of Block B2 so as to secure the rear access doors to the gardens that are allocated to the upper floor units within Block B2 only.</p> <p>REASON: To ensure appropriate restrictions of access to the allotted garden spaces is provided in order to secure the appropriate level of outdoor amenity space to each of the units.</p>
30	Refuse/Recycling Provided (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. 491_PL_112 Rev A shall be provided prior to the first occupation of the block they serve and shall be maintained as such thereafter.</p> <p>For the avoidance of doubt, Block C must not be occupied until the refuse storage provision in the western part of Block B2 has been provided.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
31	Cycle Parking Provision (Details)
	<p>CONDITION: Prior to first occupation of each of the relevant blocks, details of the proposed bicycle storage area(s) which shall be covered and secure shall be submitted to and approved in writing by the LPA. The details shall include: detailed drawings, including material schedules and samples of the three (3) bicycle enclosures located to the north of the site (Blocks A1/A2) and to the south of block B1.</p>

	<p>The enclosures shall then be installed in accordance with those approved details prior to first occupation of each of these blocks.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
32	Unobstructed Vehicle Entrance and Circulation (Compliance)
	<p>CONDITION: The vehicular entrance and circulation space shown on drawing no. 491_PL_112 Rev A and SK04 hereby approved shall be kept free of obstruction at all times.</p> <p>REASON: In the interest of vehicular and pedestrian safety.</p>
33	Wheelchair Accessible Parking Spaces
	<p>CONDITION: Notwithstanding the Transport Assessment and Site Layout Plan, prior to first occupation of the development hereby approved, a revised site layout plan detailing the exact location and line marking of no more than 5 wheelchair accessible car parking bays shall be submitted to and approved in writing.</p> <p>The wheelchair accessible parking bays shall be appropriately line-marked in accordance with the approved detail and thereafter kept available <u>only for the parking of vehicles displaying a blue badge</u> at all times.</p> <p>REASON: In the interest of securing the provision of an appropriate number and standard of wheelchair accessible parking spaces and in order to prevent mis-use of these spaces by non-blue badge holders which would contravene the adopted policies of the Islington Core Strategy (2011) CS10 and Development Management Policies (2013) DM8.5.</p>
34	Accessible Housing – Major Schemes (Details):
	CONDITION: Wording to follow
35	Lifts
	<p>CONDITION: All lifts serving the dwellings hereby approved shall be installed and operational prior to the first occupation of the residential dwellings hereby approved.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that adequate access is provided to the residential units at all floors.</p>
36	Water Usage
	<p>CONDITION: The development hereby approved shall be constructed so as to ensure that a water usage of 95 litres per person per day.</p> <p>REASON: In order to secure compliance with policy CS10 of the Islington Core</p>

	Strategy 2011 and promote the more sustainable usage of water.
37	<p>Sound Insulation and Noise Control Measures</p> <p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast)</p> <p>Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour</p> <p>Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of ensuring that the development achieves appropriate internal noise levels so as to offer the highest possible quality of accommodation for future residents.</p>
38	<p>Energy Efficiency – CO2 Reduction (Details)</p> <p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy (ref G6/K140701) prepared by Calford Seaden dated May 2015 which shall together provide for no less than a 35% reduction in regulated emissions over 2013 Building Regulations and a reduction in total CO2 emissions of 18% shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, the following shall be submitted prior to superstructure works commencing on site:</p> <p>A revised Energy Strategy, which shall provide for no less than an 18% onsite total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2013.</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>

39	Retention of Pollard Thomas Edwards (PTEa) Architects
	<p>CONDITION: The architects, Pollard Thomas Edwards, (PTEa) shall be retained as design champions of the scheme moving into the detailed design stage for Building Control stage drawings and for overseeing the selection of materials for constructing the development. PTEa shall also be involved in inspecting the construction progress of the development to ensure that the quality as envisaged within the Design and Access Statement and drawings is achieved on site.</p> <p>REASON: The design of the buildings adopts a simplicity that will rely on exactness of construction detailing and quality of materials to ensure that it does fit within the character of the streetscene and maintain and enhance the appearance of the conservation area. PTEa have a track record of delivering high quality schemes that are of simple contemporary design and have examples of successfully implanting high quality schemes. In this regard, they must remain involved to ensure that value engineering is not carried out and to oversee the detailing of elements required by planning condition. This condition is required in order to ensure that the requirements of policies DM2.1 and DM2.3 of the Development Management Policies (2013) are met moving into the detailed construction drawing and construction phase, as well as ensuring that the requirements of the Conservation Area Guidelines are met.</p>

List of Informatives:

1	S106
	<p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p>

	<p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions:</p> <p>These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	Car-Free Development
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>
5	Thames Water
	<p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer.</p> <p>Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing www.qriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.</p>
6	Thames Water – Proximity to Thames Water Pipes
	<p>Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership . Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at www.thameswater.co.uk</p>
7	Thames Water – Surface Water Drainage
	<p>Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage.</p> <p>When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.</p>

	<p>Connections are not permitted for the removal of groundwater.</p> <p>Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p> <p>We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.</p>
8	<p>London Fire and Emergency Planning - Advice</p> <p>There should be Fire Brigade access to the perimeter of the building(s) and sufficient hydrants and water mains in the vicinity.</p> <p>This Authority strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes.</p> <p>Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1 National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Since March 2014 Planning Practice Guidance for England has been published online.

2. Development Plan

The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.1 London in its global, European and United Kingdom context

Policy 2.2 London and the wider metropolitan area

Policy 2.5 Sub-regions

Policy 2.9 Inner London

Policy 2.18 Green infrastructure: the network of open and green spaces

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes

Policy 3.13 Affordable housing thresholds

Policy 3.15 Coordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

Policy 3.17 Health and social care facilities

Policy 3.18 Education facilities

Policy 3.19 Sports facilities

5 London's response to climate change

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

Policy 6.14 Freight

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.9 Heritage-led regeneration

Policy 7.12 Implementing the London View Management Framework

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.18 Protecting local open space and addressing local deficiency

Policy 7.19 Biodiversity and access to nature

Policy 7.20 Geological conservation

Policy 7.21 Trees and woodlands

Policy 7.22 Land for food

8 Implementation, monitoring and review

Policy 5.1 Climate change mitigation
 Policy 5.2 Minimising carbon dioxide emissions
 Policy 5.3 Sustainable design and construction
 Policy 5.4 Retrofitting
 Policy 5.5 Decentralised energy networks
 Policy 5.6 Decentralised energy in development proposals
 Policy 5.7 Renewable energy
 Policy 5.8 Innovative energy technologies
 Policy 5.9 Overheating and cooling
 Policy 5.10 Urban greening
 Policy 5.11 Green roofs and development site environs
 Policy 5.12 Flood risk management
 Policy 5.13 Sustainable drainage
 Policy 5.14 Water quality and wastewater infrastructure
 Policy 5.15 Water use and supplies
 Policy 5.16 Waste self-sufficiency
 Policy 5.17 Waste capacity
 Policy 5.18 Construction, excavation and demolition waste
 Policy 5.19 Hazardous waste
 Policy 5.20 Aggregates
 Policy 5.21 Contaminated land
 Policy 5.22 Hazardous substances and installations

Policy 8.1 Implementation
 Policy 8.2 Planning obligations
 Policy 8.3 Community infrastructure levy
 Policy 8.4 Monitoring and review for London

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
 Policy CS10 (Sustainable Design)
 Policy CS11 (Waste)
 Policy CS12 (Meeting the Housing Challenge)

Policy CS15 (Open Space and Green Infrastructure)
 Policy CS16 (Play Space)
 Policy CS17 (Sports and Recreation Provision)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
 Policy CS19 (Health Impact Assessments)
 Policy CS20 (Partnership Working)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage
DM2.4 Protected views
DM2.5 Landmarks

Housing

DM3.1 Mix of housing sizes
DM3.4 Housing standards
DM3.5 Private outdoor space
DM3.6 Play space
DM3.7 Noise and vibration (residential uses)

Shops, culture and services

DM4.12 Social and strategic infrastructure and cultural facilities

Health and open space

DM6.1 Healthy development
DM6.2 New and improved public open space
DM6.3 Protecting open space
DM6.4 Sport and recreation
DM6.5 Landscaping, trees and biodiversity
DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements
DM7.3 Decentralised energy networks
DM7.4 Sustainable design standards
DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy
DM8.2 Managing transport impacts
DM8.3 Public transport
DM8.4 Walking and cycling
DM8.5 Vehicle parking
DM8.6 Delivery and servicing for new developments

Infrastructure

DM9.1 Infrastructure
DM9.2 Planning obligations
DM9.3 Implementation

D) Site Allocations June 2013

OIS10

SA1 Proposals within allocated sites

1. Planning Advice Note/Planning Brief

A Planning Advice Note/ Planning Brief Ashmount Primary School site was published on 2012.

2. Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Whitehall Park Conservation Area
- Site Allocation OIS10
- TPO No. no: 325 (2007)
- - Locally Listed Building

7. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design
- Conservation Area Design Guidelines
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide

London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London

APPENDIX 3: DESIGN REVIEW PANEL LETTER



ATT: Frances Young
Nathaniel Lichfield & Partners,
14 Regent's Wharf,
All Saints Street,
London N1 9RL

Planning Service
Planning and Development
PO Box 333
222 Upper Street
London
N1 1YA

T 020 7527 2389
F 020 7527 2731
E Luciana.grave@islington.gov.uk
W www.islington.gov.uk

Our ref: DRP/74

Date: 4 November 2015

Dear Frances Young,

ISLINGTON DESIGN REVIEW PANEL

RE: Southern Part of the Site of Whitehall Park Primary School (Formerly Ashmount Primary School) Ashmount Road, London N19 3BH – in connection with planning application ref. P2015/2913/FUL

Thank you for attending Islington's Design Review Panel meeting on 14 October 2015 for an assessment of the above scheme. The proposed scheme under consideration was for the demolition of the existing buildings on the southern part of the former Ashmount School site and the erection of 46 residential units in three blocks with associated landscaping (officer's description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Richard Portchmouth (chair), Charles Thomson, Ben Gibson, Paul Reynolds and Thomas Lefevre on 14 October 2015 including a presentation from the design team followed by a questions and answers session and deliberations at the offices of the London Borough of Islington. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the council.

Panel's observations

Picking up from the previous review, when the proposal was seen at pre-application stage, the Panel reinforced their support for the proposed massing and layout across the site. However, panel members were not convinced that a full resolution had been achieved for the architectural treatment of the blocks.

The Panel agreed that the scheme needs to be sensitive to the conservation area, but stressed that contemporary architecture can sit very comfortably in the area too.

Ashmount Road Elevation

At pre-application stage, the Panel had highlighted the importance and complexity of the design of the Ashmount Road elevation as it would need sensitive elevational treatment and detailing in order to sit comfortably with neighbouring traditional buildings. Although the Panel acknowledged the design team's attempts of picking up on elements of the surrounding context,

generally, they did not feel that simply referencing or replicating some of the detail elements of the historic surrounding buildings worked well with the new language of the development. In addition the proposed replication of chimneys on the new building which would not have any function was queried by the Panel.

The Panel were concerned that the volumetric qualities of the existing buildings had not been picked up in the scheme and felt that three dimensional qualities when translated into two dimensional elements on the elevational composition lost their authenticity.

Mews elevation – Block A

The Panel felt that the mews elevation to Block A had a simplicity and robustness which worked better than the proposed elevation to Block B. They felt the fenestration generally worked on this block given its massing and height. However, concerns were raised in relation to the junction with the front part of the block, in particular the transition at roof level.

Mews elevation – Block B

Panel members weren't as supportive in relation to the treatment of the mews elevation to Block B. Concerns were raised about the proportions of the ground floor which appeared squat; the fenestration treatment which lacked coherence and vertical emphasis; and the roof form, in particular the gable ends, and the detail of how the proposed dormers related to the parapet.

The Panel felt that the elevations lacked conviction and were overly complicated in attempting to replicate architectural elements from Ashmount Rd in particular the gables. The panel thought it might be more appropriate to look at the precedents of historic London mews which tended to be architecturally modest. The panel suggested that details should be incorporated to break down the mass and to create a well-defined rhythm. They suggested the design team revisit the elements on the roof, the pattern of fenestration, the proportions of the ground floor, the detailing and perhaps colour and quality of the brickwork. The Panel suggested exploring the use of architectural features, such as downpipes, to assist in defining a rhythm.

Surface treatment, landscaping and trees

Panel members sought clarification in relation to the landscaping materials. They strongly encouraged the design team to maintain a single pavement material with subtle demarcation of different areas. They were of the opinion that keeping uniformity was very important and felt that details such as bollards, lighting etc needed to be carefully thought about and to ensure they were properly integrated to the landscaping scheme and architecture. They also drew attention of the design team to the importance of considering water drainage management as part of the detailing and the potential inclusion of garden swales.

Panel members thought the tree loss was unfortunate, but felt that it had been minimised as much as possible and were happy to see that replacement trees were proposed. They stated that the biodiversity loss by the loss of a mature tree and replacement with a young tree should be mitigated by the provision of green roofs for example. The Panel stated that planting maintenance needed to be carefully considered and responsibilities clearly defined.

Summary

The Panel reiterated their commendations from pre-application stage in relation to how successfully and inventively the design team had worked within the constraints of the site in resolving the massing and layout of the proposed scheme. However, the Panel felt that the scheme had not yet realised its full potential to be a high quality development, and that further work was necessary in resolving its architectural treatment in particular in relation to the Ashmount Road elevation and the internal mews elevation of Block B.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

Please note that since the scheme is at planning application stage, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lucy', enclosed within a light gray rectangular border.

Luciana Grave

Design Review Panel Coordinator
Design & Conservation Team Manager

APPENDIX 4: BPS INDEPENDENT VIABILITY ASSESSOR REPORT

Southern Part of the Site of Whitehall Park Primary School, N19 3BH



Independent Viability Review

Planning application Reference: P2015/2913/FUL

2nd November 2015

1.0 INTRODUCTION

1.1 BPS Chartered Surveyors has been appointed by the London Borough of Islington (the Council) to review a viability submission prepared by Islington and Shoreditch Housing Association for a proposed scheme at the above location.

1.2 The proposed scheme comprises:

"The demolition of the existing buildings on the southern part of the Former Ashmount School site and the erection of 46 residential units in three blocks with associated landscaping."

1.3 The site measures approximately 0.43 hectares (1.06 acres) and is bounded by the remainder of the former school site and Hornsey Lane to the north and Ashmount Road to the east. We understand that the Council currently owns the subject land and once planning permission is granted, the site will pass over to the housing association.

1.4 The proposal allows for 80% affordable housing by habitable room. ICS Policy CS12 Part G states that all sites capable of delivering 10 or more units should provide on-site affordable housing. It seeks 50% of all new housing in the borough to be affordable over the specified plan period. The proposed level of delivery therefore considerably exceeds the policy target, although it should be noted that 50% is a target achieved across all sites and therefore implies some sites will need to exceed this level for the target overall to be met.

1.5 CS12 sets out the Council's tenure split requirement of 70% social housing and 30% intermediate housing. The applicant proposes 24 social rent units and 11 shared ownership units, therefore 69% of affordable units are to be social rent tenure. The tenure split is broadly in line with the Council's Policy requirements.

1.6 Allowing for the proposed delivery of affordable housing and a land payment figure of [REDACTED] the scheme appears to produce a development deficit of - [REDACTED]. The applicant therefore concludes that no further affordable housing contributions can be provided while remaining financially viable.

1.7 Our review is based primarily on the following submissions:

- Development Appraisal Tool (Homes and Communities Agency)
- Affordable Housing Statement prepared by Islington and Shoreditch Housing Association, dated July 2015
- Planning Statement prepared by Nathaniel Lichfield & Partners, dated July 2015.

We have also had reference to the documents contained on the Council's planning portal.

- 1.8 We have reviewed the relevant information and carried out additional market research in order to reach a view as to whether the proposed scheme delivers the maximum reasonable amount of affordable housing.

2.0 CONCLUSIONS AND RECOMMENDATIONS

- 2.1 The proposed residual appraisal shows a deficit of [REDACTED] based on current day cost and value assumptions. This is inclusive of a land payment of [REDACTED]. We understand the level of this land receipt is likely to reduce further in order to maintain provision of at least 80% affordable housing, reflecting changes to the value of affordable housing following the Chancellors changes to the rental escalator affecting rented tenure affordable housing.
- 2.2 In order to test viability using a justified benchmark value we have compiled D1 comparable market evidence and undertaken our own valuation. This approach reflects the limited information available regarding the existing structure. Our broad estimate of value is circa [REDACTED], though this may be capable of further refinement.
- 2.3 The capital value of the open market housing is calculated to be [REDACTED]. We have conducted market research of advertised prices and sold prices of units within close proximity of the subject site. We are of the view that the units have been slightly undervalued. This may reflect the high levels of affordable housing in this scheme. Our appraisal has also included capitalised ground rent revenue from the private element. In line with the above adjustments we calculate total revenue from market units of circa [REDACTED].
- 2.4 We have prepared valuations for the social rent and shared ownership units. Through comparison with our own figures we accept that the total value for the social rent element appears reasonable. The shared ownership valuation appears reasonable when excluding the value of potential staircasing which we would generally expect to see included, although this can have the effect of making the shared ownership units less affordable.
- 2.5 Our Cost Consultant, Neil Powling has analysed the proposed build costs. Neil concludes that the proposed build costs should be regarded as reasonable. We have analysed the additional fees included finance costs and accept these are in line with market norms.
- 2.6 Based on our appraisal of the proposed scheme, we calculate a residual value of circa [REDACTED]. Based on our estimation of a reasonable viability benchmark, we consider that the scheme is in deficit of circa [REDACTED]. Therefore, we conclude that the scheme cannot deliver further contributions to affordable housing while remaining financially viable.

3.0 BENCHMARK LAND VALUE

Viability Benchmarking

- 3.1 Development appraisals work to derive a residual value. This approach can be represented by the simple formula below:

Gross Development Value - Development Costs (Including Developer's Profit) = Residual Value

- 3.2 The residual value is then compared to a benchmark land value. Existing Use Value (EUV) and Alternative Use Value (AUV) are standard recognised approaches for establishing a land value as they help highlight the apparent differences between the values of the site without the benefit of the consent sought.
- 3.3 The rationale for comparing the scheme residual value with an appropriate benchmark is to identify whether it can generate sufficient money to pay a realistic price for the land whilst providing a normal level of profit for the developer. In the event that the scheme shows a deficit when compared to the benchmark figure the scheme is said to be in deficit and as such would be unlikely to proceed.
- 3.4 In general we prefer EUV as a basis for benchmarking development as this clearly defines the uplift in value generated by the consent sought. We find the Market Value approach as defined by RICS Guidance Viability in Planning 2012 as providing an essentially circular reasoning. The RICS Guidance promotes use of a modified standard definition of "market value" by reference to an assumption that the market values should reflect planning policy and should disregard that which is not within planning policy. In practice we find that consideration of compliance with policy is generally relegated to a minor consideration compared to evidencing market transactions and underbids. On this basis and recognising the essentially competitive land market, if developers are encouraged to believe they will be able to offset a requirement to provide affordable housing by virtue of a higher price paid for land, the use of this benchmark becomes circular and will lead to negligible affordable housing provision.
- 3.5 The NPPF recognises at 173, the need to provide both land owners and developers with a competitive return. This is to encourage land owners to release land for development. This has translated to the widely accepted practice which consists of an EUV benchmark plus a premium (typically in the range of 5-30%). Guidance indicates that the scale of any premium should reflect the circumstances of the land owner. We are of the view that where sites represent an ongoing liability to a land owner and the only means of either ending the liability or maximising site value is through securing a planning consent this should be a relevant factor when considering whether a premium is applicable.

The Benchmark

- 3.6 The financial appraisal includes a land payment of [REDACTED]
- 3.7 The site was previously occupied by Ashmount School which closed in 2012. The planning application form notes that the current site contains 976 sq.m / 10,506 sq.ft GIA of D1 non-residential institution space.
- 3.8 In order to form a provisional opinion of site value, we have had reference to D1 market transactional evidence to ascertain typical sales rates. We have compiled evidence as tabulated in Appendix 1. It is not clear what assumptions the purchasers have applied to derived these sales figures and we are of the view that that they may reflect an assumption of redevelopment.
- 3.9 There is limited market evidence for school/college use and many of the transactions noted are dated and may not reflect current market conditions. The most recent transaction is of Aneurin Bevan House. This unit has a modern black glass facade. The unit is located in close proximity to Whitechapel over ground station and is

situated in a micro-location which has numerous educational institutions including the London Metropolitan University and Harry Gosling Primary School. The NHS was the previous owner of the building. We do not expect the subject building to achieve a higher value than this comparator due to location and specification.

3.10 Based on the tabulated market evidence we calculate an average sales rate of [REDACTED] sq.m. When applied to the floor area of the subject property we calculate a freehold valuation of [REDACTED]. This figure is broad brush and does not necessarily relate to a current use value approach but rather favours market value and as such it would be necessary to examine future development proposal for these properties to gain a more detailed understanding of underlying site value for planning purposes.

3.11 The proposed benchmark value of [REDACTED] has not been explained in terms of planning viability and we therefore reserve judgement on the validity of this input, however, based on our provisional research of D1 comparable sales evidence, we are of the view that the subject property could potentially achieve a higher value than the proposed benchmark if offered to the wider market.

4.0 PRIVATE UNIT VALUES

4.1 The applicant has proposed the development of 11 private residential units which consist of:

- 3x 1 bed units (52 sq.m)
- 8x 2 bed units (75 sq.m).

4.2 The capital value of open market housing is calculated to be [REDACTED]. The one bed units and have been valued at [REDACTED] equating to [REDACTED] sq.m / [REDACTED] sq.ft and the two beds [REDACTED] equating to [REDACTED] sq.m / [REDACTED] sq. ft.

One Bed Units

4.3 The new development at 400 Caledonian Road, N1 1DN is a sustainable mixed-use development of 25 low-energy, eco-focused homes. The existing stable block and Victorian House will be refurbished and at the rear of the site, two purpose-built blocks will provide 21 new homes. A court yard will centre this development. This is a car free scheme and we understand the year of completion is 2015. The planning application notes that 48% of the proposed units are social. Based on the unit reserve prices, the average sales rate is £766 sq.ft / £8,237 sq.m. Detailed information can be found in appendix 2.

4.4 We have collated second hand sales information of units within close proximity of the subject site. All sales have been completed within the last year and units were sold in excellent or good condition. Land Registry House Price Index (HPI) adjustments have been made which is reflective of the Islington area. This information shows an average sales rate of £776 sq.ft / £8,359 sq.m.

4.5 In line with the location and specification, our market evidence would suggest that a unit value of [REDACTED] is reasonable. This is very slightly higher than the value proposed by the applicant.

Two Bed

4.6 We have had reference to the following advertised information:

- A unit on Axminster Road is advertised for £580,000 (£733 sq.ft / £7,902 sq.m). The unit has been refurbished and is situated above retail space. There is also a private terrace area
 - A unit in Manor Gardens is on the market for £550,000 (£769 sq.ft / £8,283 sq.m). This unit is situated on the 1st floor of a modern development and is well presented. Another unit in this complex is advertised for £625,000 (£732 sq.ft / £7,872 sq.m)
- 4.7 Two bed units within the development at 400 Caledonian Road have an average reserved sales rate of £736 sq.ft / £7,936 sq.m.
- 4.8 We have compiled second hand sales information for recently sold two bed units within close proximity of the subject site. this information produces an average sales rate of £743 sq.ft / £8,031 sq.m
- 4.9 Based on the average £sq.m and the size of the proposed two bed units, we calculate a reasonable value of [REDACTED]. We have increased the sales values provided within the financial residual model in line with our market research.
- 4.10 No allowance has been made for capitalised ground rental income on the private residential units. We have included ground rent at [REDACTED] per private unit and capitalised this at a yield of 6%. We have deducted purchaser's costs of [REDACTED] in line with standard market assumptions.
- 4.11 On this basis we calculate the total value of the 11 private residential units to equal circa [REDACTED]
- 5.0 SOCIAL UNIT VALUES**
- 5.1 The applicant has proposed the development of 35 affordable units which comprises 24 social rented units and 11 shared ownership units.
- 5.2 The appraisal shows that the value of the affordable units 'excluding other funding' equals [REDACTED]. This value 'including other funding' is [REDACTED]. The nature of the 'other funding' is not explained but we assume relates to grant.
- 5.3 The social rent units have been assigned various weekly rental assumptions which are indicated as follows:
- 3x 1 bed flats at [REDACTED]
 - 6x 2 bed flats [REDACTED]
 - 11x3 bed flats [REDACTED]
 - 4x 4 bed houses [REDACTED].
- 5.4 The social rent units have been valued at a total figure of [REDACTED]. We have had reference to the proposed annual costs per home (management [REDACTED] void/bad debts [REDACTED] and R&M [REDACTED]). The adopted yield assumption is 5.60%. We do not dispute the overall cost and yield assumptions.
- 5.5 We have created our own appraisal for the social rent units based on the assumptions detailed above and calculate a total value for all units of circa [REDACTED]. We are therefore of the view that the applicants valuation for the proposed social rent units is not unreasonable.

5.6 The shared ownership units are split as follows:

- 2x 1 bed flats
- 9x 2 bed flats.

5.7 The shared ownership units have been valued at a total figure of [REDACTED]. We understand that this is based on the following assumptions: [REDACTED] net yield, initial tranche of [REDACTED] and rent on unsold equity of [REDACTED]. We are of the view that these assumptions are again not unreasonable.

5.8 We have undertaken our own appraisal based on the above assumptions with and without staircasing. With staircasing we calculate the total value of all the shared ownership units to be circa [REDACTED] and without staircasing we calculate the total value to equal [REDACTED]. Generally, we expect staircasing to be assumed, although this can have consequence for the overall affordability of these units.

5.9 We conclude that the proposed valuation of the social units is reasonable.

6.0 BUILD COSTS

6.1 Our Cost Consultant, Neil Powling has analysed the proposed build costs and fees in order to determine whether they are reasonable. Neil concludes:

"The results of our benchmarking yields rates for Social Rent, Shared Ownership, and Open Market of £[REDACTED]/m², [REDACTED]/m² and [REDACTED]/m² respectively. These compare to the Applicant's [REDACTED]/m², [REDACTED]/m² and [REDACTED]/m². The overall benchmarked construction cost is about [REDACTED] less than the Applicant's figure, but given the assumptions we have necessarily made and in particular that the contingency is only 1% - we are satisfied that the Applicant's costs are reasonable."

(See Appendix 3 for Neil's full cost report)

6.2 Further fees have been included within the appraisal including:






- 'fees and certification' costs of [REDACTED]
- 'other acquisition' costs of [REDACTED]
- Site 'abnormals' of [REDACTED]
- S106 costs of £366,824
- Marketing costs of [REDACTED]
- Miscellaneous fees of [REDACTED]
- Legal fees of [REDACTED]
- Interest paid of [REDACTED]

6.3 In order to establish whether the fees are reasonable, we have adopted standard residual valuation assumptions. Generally, we see a 10-12% professional fee allowance on build costs. The sum of the costs including 'fees and certification', other acquisition costs, abnormals, miscellaneous fees and legal fees equals

██████████. 12% professional fees on build costs would generate a total of ██████████. Therefore, the proposed fees seem very reasonable.

- 6.4 Marketing fees appear to equate to approximately ██████████ of the value of the private units which is in line with market norms.
- 6.5 We have analysed the interest costs using an Argus appraisal model based on a 7% interest rate. Finance on the land payment equals circa ██████████ and finance on construction costs is circa ██████████. Therefore, the total calculated costs are approximately ██████████. We accept that the proposed finance costs appear to be reasonable.
- 6.6 The financial appraisal includes an allowance for 'operating profit' however, in this instance this allowance may be reflective of realistic internal fees incurred by the developer. The proposed allowances differ from what we would accept to be standard profit allowances for private developments. The operating profit figure included in the appraisal is ██████████. We have adjusted our appraisal to allow for a profit allowance of 20% on revenue for private residential units and 6% profit for affordable units. This increases the allowance above the proposed level by approximately ██████████. In conclusion the profit level sought is below market norms.

Appendix 1: D1 Market Evidence

School/College Property (D1)								
Property	Transaction	Date	Sold Price	Sq.ft	Sq.m	£sq.ft	£sq.m	Comments
 Aneurin Bevan House, E1 1RD	Sale	01/12/2013	£9,100,000	20,000	1,858	£455	£4,898	Modern façade
 19 Charterhouse St, EC1N 6RA	Investment Sale	01/01/2013	£35,250,000	67,000	6,224	£526	£5,664	
 Renax House, 31-32 Alfred Place, EC1E 7DP	Investment Sale	01/09/2012	£9,500,000	35,000	3,252	£271	£2,921	
 Royal London House, EC2A 1DS	Investment Sale	19/12/2011	£30,000,000	134,876	12,530	£222	£2,394	Large majority office space (92%). Not directly comparable
 48 Bedford Square, WC1B 3DR	Investment Sale	01/03/2008	5,900,000	11,205	1,041	£527	£5,668	Georgian Office Building
					Average	£400	£4,309	

Appendix 2: Residential Market Information

Caledonian Road

One Bed

Unit Ref	Floor Level	Sq.m	Sq.ft	Asking Price	Sold / Res'vd by	£sq.m	£sq.ft
B12	1	51	547	413,500	19/02/2015	£8,108	£756
B13	1	51	547	420,000	16/10/2014	£8,235	£768
B22	2	51	547	426,000	16/10/2014	£8,353	£779
A11	1	51	554	416,000	16/10/2014	£8,157	£751
B23	2	51	547	425,000	19/02/2015	£8,333	£777
Average		51	548.4	£420,100		£8,237	£766

Two Bed

Unit Ref	Floor Level	Sq.m	Sq.ft	Asking Price	Sold / Res'vd by	£sq.m	£sq.ft
A12	1	63	680	518,000	16/10/2014	£8,222	£762
B14	1	72	775	563,500	16/10/2014	£7,826	£727
A13	1	75	812	575,000	16/10/2014	£7,667	£708
A21	2	62	671	515,000	19/02/2015	£8,306	£768
A23	2	75	812	580,000	16/10/2014	£7,733	£714
B11	1	72	778	558,500	16/10/2014	£7,757	£718
B24	2	72	775	570,000	19/02/2015	£7,917	£735
E11	1	80	857	645,000	19/02/2015	£8,063	£753
Average		71	770	£565,625		7,936	£736

Second hand sales evidence

One Bed

Address	Price (+HPI)	Sale Date	Sq.m	Sq.ft	£sq.m	£sq.ft	Details
61D Whitehall Park	£464,863	Feb-15	67	726	£6,897	£640	2nd floor unit in good condition
74 Roden Court	£433,872	Feb-15	49	527	£8,855	£823	1st floor, private balcony & parking
4, 30 Milton Road	£330,358	Apr-15	44	474	£7,508	£697	Refurbished unit
8 Bridge House	£439,869	Dec-14	46	490	£9,667	£898	Period conversion, good condition
1, 74 Langdon Park Rd	£507,821	Mar-15	49	527	£10,385	£964	Ground floor refurbished unit
28 Warltersville Rd	£348,353	May-15	51	548	£6,844	£635	Good condition
Average	£420,856		51	549	£8,359	£776	

Two Bed

Address	Price (+HPI)	Sale Date	sq.m	sq.ft	£sq.m	£sq.ft	Details
22 Princess Court, N6 5XD	£578,231	Dec-14	88	974	£6,571	£594	5th floor, good condition
3, 75 Sunnyside Road, N19 3SL	£474,976	Dec-14	52	560	£9,134	£849	Period conversion, good condition
9 Arthur Henderson House, N19 3BN	£405,297	Jun-15	67	721	£6,049	£562	Refurbished & parking
5, Avenue Lodge, N6 5DJ	£595,000	Aug-15	87	932	£6,879	£638	Good condition, private garage
30A Parolles Road, N19 3RD	£588,557	Dec-14	69	739	£8,580	£796	Ground floor, own garden
Flat 1, 16 Milton Road, N6 5QD	£627,164	Jul-15	66	715	£9,445	£877	Ground floor garden flat
12C Milton Road, N6 5QD	£600,492	Nov-14	63	676	£9,562	£888	Ground floor, communal garden
Average	£552,817		70	760	£8,031	£743	

Appendix 3: Build Cost Report

Project: Ashmount Road
2015/2913/FUL

1 SUMMARY

- 1.1 We have been able to undertake this exercise of cost checking for viability purposes relying only on the information derived from the toolkit but suggest that the preparation of a detailed construction cost estimate, preferably in elemental form, is a prudent and preferred option that provides a reliable estimate and a useful control document throughout the project. This would make due allowance for all project specific costs including demolitions, external works and services and enhanced specifications that are all treated as abnormal costs for benchmarking purposes.
- 1.2 The toolkit allows 1% for contingency. We have adopted the same rate in our benchmarking although a rate of 5% would be normal for new build work and acceptable for both the Applicant's and benchmarking calculations.
- 1.3 The results of our benchmarking yields rates for Social Rent, Shared Ownership, and Open Market of £[REDACTED]/m², £[REDACTED]/m² and £[REDACTED]/m² respectively. These compare to the Applicant's £[REDACTED]/m², £[REDACTED]/m² and £[REDACTED]/m². The overall benchmarked construction cost is about £[REDACTED] less than the Applicant's figure, but given the assumptions we have necessarily made and in particular that the contingency is only 1% - we are satisfied that the Applicant's costs are reasonable.

2 METHODOLOGY

- 2.1 The objective of the review of the construction cost element of the assessment of economic viability is to benchmark the applicant costs against RICS Building Cost Information Service (BCIS) average costs. We use BCIS costs for benchmarking because it is a national and independent database. Many companies prefer to benchmark against their own data which they often treat as confidential. Whilst this is understandable as an internal exercise, in our view it is insufficiently robust as a tool for assessing viability compared to benchmarking against BCIS.
- 2.2 BCIS average costs are provided at mean, median and upper quartile rates (as well as lowest, lower quartile and highest rates). We generally use mean or upper quartile for benchmarking depending on the quality of the scheme. BCIS also provide a location factor compared to a UK mean of 100; our benchmarking exercise adjusts for the location of the scheme. BCIS Average cost information is available on a default basis which includes all historic data with a weighting for the most recent, or for a selected maximum period ranging from 5 to 40 years. We generally consider both default and maximum 5 year average prices; the latter are more likely to reflect current regulations, specification, technology and market requirements.
- 2.3 BCIS average prices are also available on an overall £ per sqm and for new build work (but not for rehabilitation/ conversion) on an elemental £ per sqm basis. We generally consider both. A comparison of the applicants elemental costing compared to BCIS elemental benchmark costs provides a useful insight into any

differences in cost. For example: planning and site location requirements may result in a higher than normal cost of external wall and window elements.

- 2.4 If the application scheme is for the conversion, rehabilitation or refurbishment of an existing building, greater difficulty results in checking that the costs are reasonable, and the benchmarking exercise must be undertaken with caution. The elemental split is not available from the BCIS database for rehabilitation work; the new build split may be used instead as a check for some, but certainly not all, elements. Works to existing buildings vary greatly from one building project to the next. Verification of costs is helped greatly if the cost plan is itemised in reasonable detail thus describing the content and extent of works proposed.
- 2.5 BCIS costs are available on a quarterly basis - the most recent quarters use forecast figures, the older quarters are firm. If any estimates require adjustment on a time basis we use the BCIS all-in Tender Price Index (TPI).
- 2.6 BCIS average costs are available for different categories of buildings such as flats, houses, offices, shops, hotels, schools etc. The Applicant's cost plan should keep the estimates for different categories separate to assist more accurate benchmarking.
- 2.7 To undertake the benchmarking we require a cost plan prepared by the applicant; for preference in reasonable detail. Ideally the cost plan should be prepared in BCIS elements. We usually have to undertake some degree of analysis and rearrangement before the applicant's elemental costs can be compared to BCIS elemental benchmark figures. If a further level of detail is available showing the build-up to the elemental totals it facilitates the review of specification and cost allowances in determining adjustments to benchmark levels. An example might be fittings that show an allowance for kitchen fittings, bedroom wardrobes etc that is in excess of a normal benchmark allowance.
- 2.8 To assist in reviewing the estimate we require drawings and (if available) specifications. Also any other reports that may have a bearing on the costs. These are often listed as having been used in the preparation of the estimate. If not provided we frequently download additional material from the documents made available on the planning website.
- 2.9 BCIS average prices per sqm include overheads and profit (OHP) and preliminaries costs. BCIS elemental costs do not include these. Nor do elemental costs include for external services and external works costs. Demolitions and site preparation are excluded from all BCIS costs. We consider the Applicants detailed cost plan to determine what, if any, abnormal and other costs can properly be considered as reasonable. We prepare an adjusted benchmark figure allowing for any costs which we consider can reasonably be taken into account before reaching a conclusion on the applicant's cost estimate.

3 GENERAL REVIEW

- 3.1 We have been provided with and relied upon the Affordable Housing Statement prepared by Islington & Shoreditch Housing Association (ISHA) and the viability toolkit (as an Excel file) ref ~~00072015~~.
- 3.2 We have in addition downloaded further information from the planning web site.

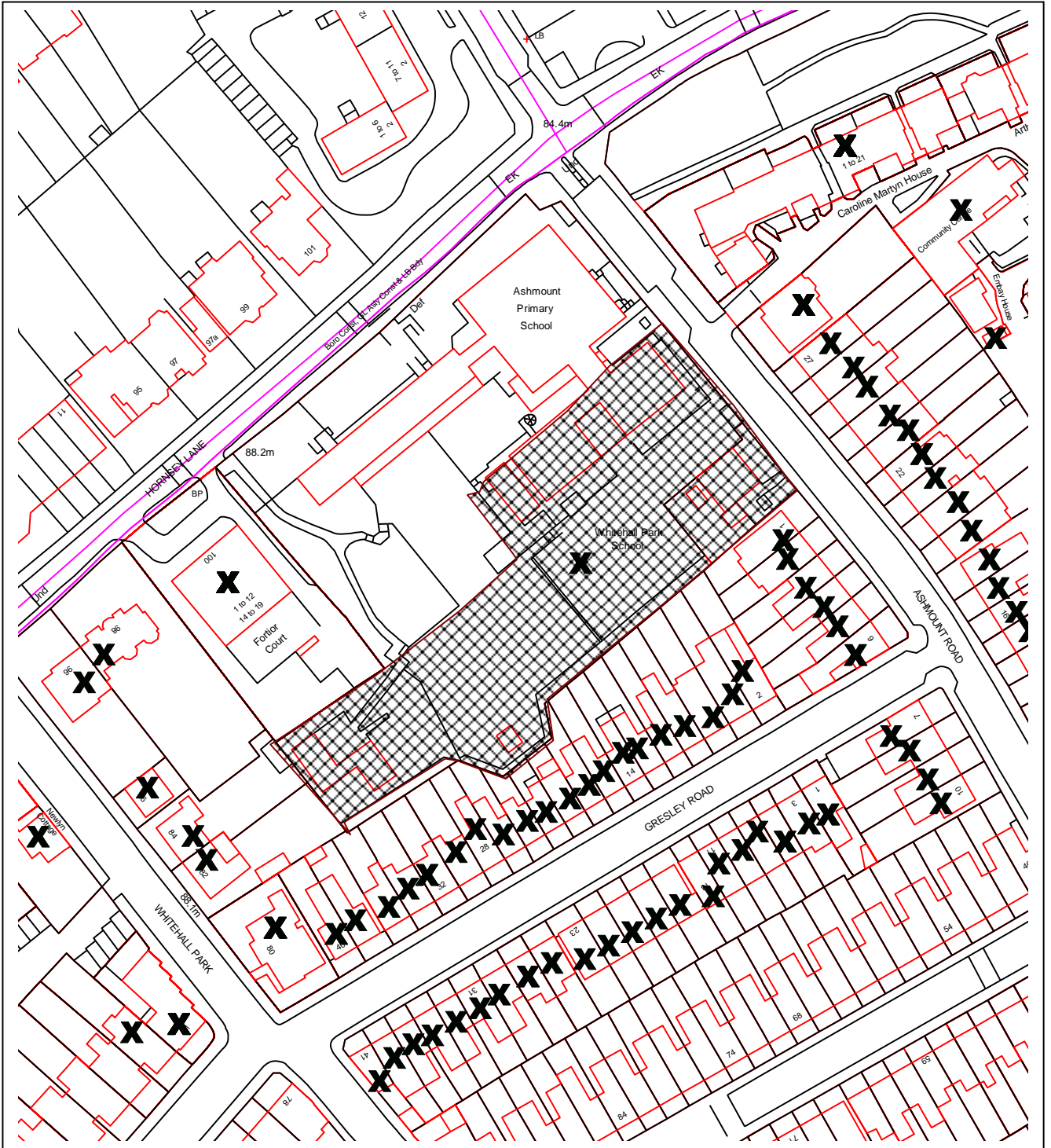
- 3.3 There is no construction cost estimate as such and we have therefore been reliant on extracting information from the toolkit to determine the Applicant's allowances for NIA, GIA and construction costs.
- 3.4 We have been able to undertake this exercise of cost checking for viability purposes relying only on the information derived from the toolkit but suggest that the preparation of a detailed construction cost estimate, preferably in elemental form, is a prudent and preferred option that provides a reliable estimate and a useful control document throughout the project. This would make due allowance for all project specific costs including demolitions, external works and services and enhanced specifications that are all treated as abnormal costs for benchmarking purposes.
- 3.5 The toolkit considers three categories of units: Social Rent, Shared Ownership and Open Market. The Social Rent is located in Blocks B and C. Block C comprises 4Nr 4B6P houses that for benchmarking are considered as a separate category to the flats of Block B. We have therefore calculated a split of Social Rent of 22.5% housing and 77.5% flats and included a blended rate in our benchmarking.
- 3.6 The flats in Block A (both affordable and open market) are all 4 storey. The Flats of Block B are 3 storeys. All flats therefore fall within the BCIS category of 3-5 storeys.
- 3.7 The toolkit allows 1% for contingency. We have adopted the same rate in our benchmarking although a rate of 5% would be normal for new build work and acceptable for both the Applicant's and benchmarking calculations.
- 3.8 The toolkit provides for the inclusion of amounts for site preparation and demolition, roads and sewers, services, strategic landscaping, off site works, public open space, site specific sustainability initiatives and plot specific external works. All these have been left blank (notwithstanding the requirements scheduled as examples in the following clause) and we therefore assume the rates used by the Applicant are inclusive of any of these costs applicable to the development.
- 3.9 The drawings, design information and the Design & Access Statement indicate the following:-
- Existing buildings to be demolished
 - Foul drainage installation
 - Surface water drainage installation including a large attenuation tank
 - Incoming mains services
 - Common area landscaping including the new mews
 - External lighting
 - Bin stores, cycle stores and cycle racks
 - External works to private areas
 - Boundary treatments
 - Sustainability: code 4 CSH, green roof to Block A, solar thermal technology
- 3.10 We have downloaded current BCIS data for benchmarking purposes including a location factor for Islington of 125 that has been applied to our benchmarking calculations.
- 3.11 Please refer to our attached file "Summary of Applicant's information, BCIS data and BCIS Benchmarking". We have included a 15% addition to allow for external

works. We have also allowed a sum for specification enhancements that would cover abnormal foundations, enhanced kitchen and bathroom fittings, enhanced floor finishings: £450/m² to shared ownership and £200/m² to open market units.

- 3.12 The results of our benchmarking yield rates for Social Rent, Shared Ownership, and Open Market of £1,015/m², £972/m² and £912/m² respectively. These compare to the Applicant's £1,015/m², £972/m² and £912/m². The overall benchmarked construction cost is about £68,000 less than the Applicant's figure, but given the assumptions we have necessarily made and in particular that the contingency is only 1% - we are satisfied that the Applicant's costs are reasonable.

BPS Chartered Surveyors
Date: 22nd October 2015

Islington SE GIS Print Template



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P2015/2913/FUL

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Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 3333
222 Upper Street
London
N1 1YA

PLANNING COMMITTEE

AGENDA ITEM NO:

Date: 19th January 2016

Report	PLANNING ENFORCEMENT AND APPEAL PERFORMANCE: Year End 2014/2015
Wards	All Borough
Case Officer	Salah Kettani Deputy Team Leader (Enforcement)

1.0 Synopsis

- 1.1 On 17 April 2007 the Executive approved a Development Control Enforcement Policy.
- 1.2 The policy commits the Planning Enforcement Service to prepare quarterly reports to Area Planning Sub-Committees on Enforcement Team performance and appeal statistics. Since the reorganisation of the committee structure these reports are now presented to the Planning Committee only.
- 1.3 This report contains performance figures for the first, second, third and fourth quarter for the year 2014/2015 (01 April 2014 to 30 June 2014, 1 July 2014 to 30 September 2014, 1 October 2014 to 31 December 2014, and 1 January to 30 March 2015), and the year-end figures for the financial year 2014-15. The report includes the tables covering the whole year and the appendices contain data broken down by quarter.
- 1.4 For the 2014-15 financial year, the Planning Enforcement team:
 - Closed **798** cases
 - Issued **54** Enforcement Notices (including Breach of Condition Notices), which is more than double that issued the previous year
 - Secured its first successful claim under the Proceeds of Crime Act (POCA) following non-compliance with a planning enforcement notice;
 - Initiated another two potential POCA prosecutions.
 - Secured a conviction for unauthorised works to a protected tree;
 - Achieved several successful results outside of the courts (outlined in more detail below).

2.0 Recommendations

2.1 To note the content of the report.

3.0 Background

- 3.1 The enforcement priority categories are:
- Immediate priority – site visit within 24 hours;
 - High priority – site visit within 5 working days;
 - Standard priority – site visit within 10 working days;
 - Low priority – site visit within 15 working days.

4.0 Enforcement performance - Year End (1 April 2014 – 30 March 2015)

Investigations Instigated

A breakdown of each quarter can be found in **Appendix 1**.

	Immediate	High	Standard	Low	Total
Barnsbury	1	6	39	3	49
Bunhill	1	8	42	2	53
Caledonian	0	15	47	15	77
Canonbury	1	4	24	0	29
Clerkenwell	0	5	33	0	38
Finsbury Park	0	5	41	1	47
Highbury East	1	7	41	0	49
Highbury West	0	4	34	0	38
Hillrise	0	1	30	0	31
Holloway	0	5	30	0	35
Junction	1	5	37	0	43
Mildmay	1	1	33	1	36
St. Georges	0	2	25	0	27
St. Marys	4	11	67	1	83
St. Peters	1	7	36	0	44
Tollington	0	2	29	0	31
TOTAL	11	88	588	23	710

Investigations Concluded

A breakdown of each quarter can be found in **Appendix 2**.

	Immediate	High	Standard	Low	Total
Barnsbury	1	8	48	0	57
Bunhill	1	7	43	1	52
Caledonian	0	8	54	1	63
Canonbury	1	6	31	0	38
Clerkenwell	0	6	31	0	37
Finsbury Park	0	4	33	0	37
Highbury East	1	9	43	1	54
Highbury West	0	6	45	0	51
Hillrise	0	2	30	0	32
Holloway	1	7	31	0	39
Junction	1	4	40	0	45
Mildmay	0	3	41	1	45
St. Georges	0	3	42	0	45
St. Marys	3	21	85	0	109
St. Peters	2	7	48	1	58
Tollington	0	3	33	0	36
TOTAL	11	104	678	5	798

Commentary:

The amount of new cases remained high for the first and second quarters, but tailed off in the third and fourth quarter, thus enabling the team to focus efforts on enforcement notices, caseload management and progressing more time-consuming activities such as prosecutions.

Notices Issued between 1 April 2014 and 31 March 2015

Enforcement Notices: 39
Listed Building Enforcement Notices: 8
Planning Contravention Notices: 6
Breach of Conditions Notices: 7
Stop Notices: 0
Section 215 (Untidy Land): 0

A breakdown of each quarter can be found in Appendix 3.

Commentary on Year End performance and other enforcement activities

Case numbers: This year 710 investigations were commenced, compared with 883 for the year 2013-14. This lower case figure is reflected in the increase in the number of enforcement notices issued and the increase in cases being brought to prosecution (discussed in greater detail below). In 2014-15, 798 cases were closed, which is very close to the previous year's figure of 806. This

demonstrates that the team are performing consistently each year and appropriately directing enforcement resources.

Site visit performance: Appendix 1 shows the Enforcement Team's performance statistics relating to site visits undertaken within the target periods for the relevant priority categories. 100% of Immediate and High priority cases for these three quarters were visited within the requisite timescale. Site visit performance for the second quarter was an improvement on the first quarter figure of 94%, but the relatively low figure compared with the subsequent quarters is a reflection of the large number of complaints received in that quarter. The team did extremely well to meet 99% of site visits in the third and fourth quarter, with only one visit being missed in each.

Enforcement notices: Appendix 3 outlines all the Enforcement Notices issued between 01 April 2014 and 30 June 2014. In the previous financial year, the team issued 20 enforcement notices (including listed building enforcement notices) and 1 breach of condition notice, making a total of 21 notices. For 2014-15, the team issued 47 enforcement notices (including listed building enforcement notices) and 7 breach of condition notices, making a total of 54 notices – more than double issued the previous year. This reflects the intentions of the team to increase the use of criminal prosecutions in resolving breaches of planning control, and it's renewed commitment to progressing cases in a timely fashion.

Successful case results: This year the team have secured a very high rate of voluntary compliance, with some very good results being achieved without the need to take formal action. The team closed 627 cases in the final three quarters (as a comparison, 558 cases were closed in the same three quarters last year). At the end of March 2015, the Enforcement Team had **484** live enforcement cases under investigation. This is almost 100 cases less than at the end of the first quarter, reflecting the team's efforts on reducing caseloads in the latter half of 2014. However, the following are examples of cases where formal action has been taken and resulted in satisfactory outcomes.

- An enforcement notice was issued at 210 Seven Sisters Road alleging the unauthorised change of use as a social club. Amongst the complainants were the Police, who had been dealing with reports of antisocial behaviour at the premises. The notice was not complied with and a final warning letter ignored. The Police subsequently visited the site and arrested the owner under Section 179 of the Town & Country Planning Act 1990 which is the first time that someone in Islington has been arrested for non-compliance with planning legislation. The owner was subsequently bailed and immediately complied with the enforcement notice. The premises are now closed.
- A tree in Crayford Road was severely lopped by a contractor looking to develop the adjacent land. Following a thorough investigation, and given the lack of alternative remedy, the Council prosecuted the developer under Section 211 of the Town and Country Planning Act 1990 (as amended). The developer was convicted of the offence but, because the Council were unable to prove that the work was deliberate, the fine was a modest £500. However, the Council was awarded full costs of over £4,500.
- A Section 215 notice was issued on an address in Thorpedale Road requiring extensive improvements to be made to the property. The notice was not complied with, and therefore direct action was taken by the Council to carry out the work required by the notice, and a charge was placed on the land. For this project, the team worked in conjunction with the Council's Grants and Environmental Health officers to achieve extensive internal and external renovation of a property occupied by a potentially vulnerable tenant.
- Several enforcement notices have been complied with this year, negating the need for criminal proceedings or default action. These include 602A Holloway Road (unauthorised conversion to 30 self-contained flats), 101 Upper Street (unauthorised roller shutters), 29B Ferntower Road (unauthorised fifth storey extension), 24 Grice Court (unauthorised short-term let), and 281 and 283 City Road (unauthorised flats and extensions).

Licensing responses: Since February 2013 the planning enforcement team have been making representations to every new (and renewal) Licensing application that is made to the Council. A

review of the planning history of the application property is made to ensure the proposed licensed hours are consistent with the permitted planning use of the property, and also with regards to its authorised hours of operating. If discrepancies are found it usually results in the new license being deferred or refused until such time that the planning position is clarified. This financial year, the planning enforcement team received **177** new consultations and responded to **174** consultations within the allocated response time for representations.

Proceeds of Crime: The team has been focussing this year on progressing cases to prosecution, with a view to recovering profits of criminal activity under the Proceeds of Crime Act. Following the successful prosecution of Mr Kohali and subsequent receipt of our portion of the £77,000 funds awarded by the court, the team has initiated two further prosecutions with POCA in mind. If successful, these cases should cumulatively result in significant POCA claims. Another prosecution is currently being prepared which, if successful, could result in Proceeds of Crime being awarded. To assist us with these complex cases, the Council has enlisted the services of Brent and Harrow Trading Standards, who are experienced in preparing financial information for planning POCA claims, to act as Approved Financial Investigators.

Senior Management Closure Panel: A new 'closure panel' has been introduced to deal with problematic or borderline cases which are recommended for closure. At present, the Team Manager has sole delegated authority to sign off enforcement cases, and it was considered that a higher-level procedure was required for more controversial closures with the aim of providing greater accountability. The Panel will meet quarterly.

Future Projects and Policies:

Enforcement Plan: The enforcement team will produce and publish an Enforcement Plan. The Plan will set out how the Council's planning enforcement service will help to achieve corporate regeneration objectives, address breaches of planning control and prioritise its work in line with the advice contained in the National Planning Policy Framework. It describes the range of powers available to the Council, how the Council will decide whether or not to pursue enforcement action and the process of enforcement. Once The Plan is published for member-consultation, consideration will be given to adopting it as part of the Local Development Framework.

Residential Conversion Project: Following on from the decision to dedicate an officer to dealing with the issue of unauthorised residential conversions, the team has bid for and been granted £112k to set up a special project in order to tackle rogue landlords. With the help of environmental health colleagues, a new team has been set up to expedite these matters. The team will also include an officer dedicated to collating and presenting prosecution evidence on behalf of the team. This individual will also act as a liaison with internal and external partners as an information sharing protocol comes into being. The team has also set aside funds in order to explore the option of using injunctions of specific-performance as a means of preventing repeat offenders from undertaking any development without first obtaining the express permission of the Local Planning Authority.

Future Focus: The team will increase its focus on the use of Proceeds of Crime Act legislation as a mechanism to deter recalcitrant individuals who continue to cause concern and the year 2016 will see an increase in the number of such cases that will be put before the court.

5.0 Appeal performance - Year End (1 April 2014 – 30 March 2015)

Appeal performance: (Previously BVPI 204) - Year End 2014-15

The following table reflects the percentage of planning appeal decisions allowed against the Authority's decision to refuse planning permission. The numbers in brackets reflect the actual number of appeals allowed, against the total number of appeals. These figures do not include appeals relating to listed buildings, enforcement notices, advertisements or applications for Certificates of Lawfulness.

Appeals allowed 1 April 2014 – 30 March 2015

Total	44.4% (44/99)
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Table 1: Appeals against refusal of planning permission allowed

All Applications and Enforcement Appeals performance

The table below reflects the percentage of all appeals allowed against the Authority's decision to refuse permission **or** issue an enforcement notice. The numbers in brackets reflect the actual number of appeals allowed, against the total number of appeals. The figures include appeals against refusals of consent relating listed buildings, advertisements and Certificates of Lawfulness and enforcement appeals.

Appeals allowed Year End: 1 April 2014 – 30 March 2015

	All Applications	Enforcement
Total	42.2% (57/135)	0% (0/8)

Table 2: All appeals allowed against refusal of permission or issue of enforcement notice

A breakdown of each quarter can be found in **Appendix 4**.

Appeal commentary

In 2013-14, the percentage of appeals allowed was 35.2% (for planning application appeals) and 35.3% for all applications. Therefore, this year's figures (42.2%) represent a drop in appeal success when compared with last year. It is widely felt that this coincides with the appointment of a number of new Inspectors at the Planning Inspectorate, who appear to be adopting a more liberal interpretation of planning policy - particularly with regards to roof additions and the quality of residential units. There is also a general perception across London and beyond that more appeals are now being upheld.

Since November 2012, the majority of the appeal decisions **allowed** by the Planning Inspectorate have been discussed internally at Planning Forum. This is a fortnightly meeting attended by the Head of Development Management, Deputy Heads of Service and Team Managers, where officers bring applications for discussion, guidance and review.

Each allowed appeal has been discussed in depth to gain a better understanding of why the Planning Inspector made the decision they did, and to ascertain whether there is anything that can be learnt from the decision for future applications. Whilst there has not been any patterns emerging as to why appeals have been lost, it does appear that different Inspectors apply different policy interpretations, and more commonly, subjective design judgements. Such factors are taken into account to ensure the decisions we make are robust, supportable and defensible should an appeal be made.

The Appeal Costs Information

Local planning authorities, appellants and interested parties who have taken part in the appeal process, including statutory consultees, may apply for costs, or have costs awarded against them. A

party applying for costs may have costs awarded against them, if they themselves have behaved unreasonably.

An Inspector or the Secretary of State may, on their own initiative, make an award of costs, in full or in part, in regard to appeals and other proceedings under the Planning Acts if they consider that a party has behaved unreasonably resulting in unnecessary expense and another party has not made an application for costs against that party.

Members have recently requested that the appeal cost applications statistics also form part of this report, and these are therefore reported below.

There was 1 full cost and 1 partial cost award against the council details can be found in Appendix 5 and the Council was awarded costs against an appellant.

6.0 Implications

Financial implications:

6.1 None

Legal Implications

6.2 None

6.3 Environmental Implications

None

6.4 Equality Impact Assessment

No equalities impact assessment carried out, as the purpose of the report is to report performance on planning enforcement and planning appeals to Members.

Background papers: (available online or on request)

- Report of the Executive Member for the Environment dated 17 April 2007 to Executive Board.

Report	Salah Kettani
Author:	
Tel:	Ext. 2766
Fax:	
Email:	Salah.Chegrouni-Kettani@islington.gov.uk

Appendices:

Appendix 1:

Enforcement performance – First, second, third and fourth quarters 2014-15

Investigations Instigated

The table below reflects the total of new planning enforcement investigations instigated, grouped by Ward and priority category.

First Quarter 2014/2015 Investigations Commenced

	Immediate	High	Standard	Low	Total
Barnsbury	1	1	7	2	11
Bunhill	0	4	7	0	11
Caledonian	0	7	15	15	37
Canonbury	1	2	8	0	11
Clerkenwell	0	2	4	0	6
Finsbury Park	0	1	4	0	5
Highbury East	1	3	4	0	8
Highbury West	0	2	9	0	11
Hillrise	0	1	7	0	8
Holloway	0	5	7	0	12
Junction	0	0	8	0	8
Mildmay	0	0	6	0	6
St Georges	0	1	6	0	7
St Marys	0	5	14	1	20
St Peters	0	0	15	0	15
Tollington	0	1	6	0	7
TOTAL	3	35	127	18	183

Table 1: Planning Enforcement investigations commenced, sorted by Ward and priority category

Second Quarter 2014/2015 Investigations Commenced

	Immediate	High	Standard	Low	Total
Barnsbury	0	1	15	0	16
Bunhill	1	3	14	0	18
Caledonian	0	2	15	0	17
Canonbury	0	2	12	0	14
Clerkenwell	0	0	13	0	13
Finsbury Park	0	2	15	0	17
Highbury East	0	1	10	0	11
Highbury West	0	2	11	0	13
Hillrise	0	0	12	0	12
Holloway	0	0	12	0	12
Junction	1	2	11	0	14
Mildmay	0	1	16	0	17
St Georges	0	0	11	0	11
St Marys	3	1	30	0	34
St Peters	1	2	5	0	8
Tollington	0	1	11	0	12
TOTAL	6	20	213	0	239

Table 1: Planning Enforcement investigations commenced, sorted by Ward and priority category

Third Quarter 2014/2015 Investigations Commenced

	Immediate	High	Standard	Low	Total
Barnsbury	0	4	12	0	16
Bunhill	0	0	7	0	7
Caledonian	0	2	10	0	12
Canonbury	0	0	1	0	1
Clerkenwell	0	1	8	0	9
Finsbury Park	0	1	13	0	14
Highbury East	0	0	12	0	12
Highbury West	0	0	7	0	7
Hillrise	0	0	8	0	8
Holloway	0	0	6	0	6
Junction	0	1	7	0	8
Mildmay	0	1	6	1	8
St Georges	0	0	5	0	5
St Marys	0	3	16	0	19
St Peters	0	2	11	0	13
Tollington	0	0	5	0	5
TOTAL	0	15	134	1	150

Table 1: Planning Enforcement investigations commenced, sorted by Ward and priority category

Fourth Quarter 2014/2015 Investigations Commenced

	Immediate	High	Standard	Low	Total
Barnsbury	0	0	5	1	6
Bunhill	0	1	14	2	17
Caledonian	0	4	7	0	11
Canonbury	0	0	3	0	3
Clerkenwell	0	2	9	0	11
Finsbury Park	0	1	9	1	11
Highbury East	0	3	15	0	18
Highbury West	0	0	7	0	7
Hillrise	0	0	3	0	3
Holloway	0	0	5	0	5
Junction	0	2	11	0	13
Mildmay	0	0	5	0	5
St Georges	0	1	3	0	4
St Marys	1	2	8	0	11
St Peters	0	3	5	0	8
Tollington	0	0	7	0	7
TOTAL	1	19	116	4	140

Table 1: Planning Enforcement investigations commenced, sorted by Ward and priority category

Site visit performance

The table below states the Enforcement Team's performance statistics relating to site visits undertaken within the target periods for the relevant priority categories.

First Quarter 2014/2015 % of Site Visits undertaken within target

	Total Site Visits	Total Site Visits Meeting Target	Total %	Immediate %	High %	Standard %	Low %
Barnsbury	11	9	81.8%	100.0%	0.0%	85.7%	100.0%
Bunhill	11	11	100.0%	N/A	100.0%	100.0%	N/A
Caledonian	37	35	94.6%	N/A	71.4%	100.0%	100.0%
Canonbury	11	11	100.0%	100.0%	100.0%	100.0%	N/A
Clerkenwell	6	4	66.7%	N/A	100.0%	50.0%	N/A
Finsbury Park	5	5	100.0%	N/A	100.0%	100.0%	N/A
Highbury East	8	8	100.0%	100.0%	100.0%	100.0%	N/A
Highbury West	11	10	90.9%	N/A	50.0%	100.0%	N/A
Hillrise	8	8	100.0%	N/A	100.0%	100.0%	N/A
Holloway	12	11	91.7%	N/A	100.0%	85.7%	N/A
Junction	8	7	87.5%	N/A	N/A	87.5%	N/A
Mildmay	6	6	100.0%	N/A	N/A	100.0%	N/A
St Georges	7	7	100.0%	N/A	100.0%	100.0%	N/A
St Marys	20	20	100.0%	N/A	100.0%	100.0%	100.0%
St Peters	15	15	100.0%	N/A	N/A	100.0%	N/A
Tollington	7	6	85.7%	N/A	100.0%	83.3%	N/A
TOTAL	183	173	94.5%	100.0%	88.6%	95.3%	100.0%

Table 2: Percentage of Planning Enforcement site visits undertaken within target response times

Second Quarter 2014/2015 % of Site Visits undertaken within target

	Total Site Visits	Total Site Visits Meeting Target	Total %	Immediate %	High %	Standard %	Low %
Barnsbury	16	16	100.0%	0.0%	100.0%	100.0%	0.0%
Bunhill	18	18	100.0%	100.0%	100.0%	100.0%	0.0%
Caledonian	17	15	88.2%	0.0%	100.0%	86.7%	0.0%
Canonbury	14	14	100.0%	0.0%	100.0%	100.0%	0.0%
Clerkenwell	13	13	100.0%	0.0%	0.0%	100.0%	0.0%
Finsbury Park	17	17	100.0%	0.0%	100.0%	100.0%	0.0%
Highbury East	11	11	100.0%	0.0%	100.0%	100.0%	0.0%
Highbury West	13	13	100.0%	0.0%	100.0%	100.0%	0.0%
Hillrise	12	12	100.0%	0.0%	0.0%	100.0%	0.0%
Holloway	12	11	91.7%	0.0%	0.0%	91.7%	0.0%
Junction	14	11	78.6%	100.0%	100.0%	72.7%	0.0%
Mildmay	17	16	94.1%	100.0%	0.0%	93.8%	0.0%
St Georges	11	10	90.9%	0.0%	0.0%	90.9%	0.0%
St Marys	34	33	97.1%	100.0%	100.0%	96.7%	0.0%
St Peters	8	8	100.0%	100.0%	100.0%	100.0%	0.0%
Tollington	12	12	100.0%	0.0%	100.0%	100.0%	0.0%
TOTAL	239	230	96.2%	100.0%	100.0%	95.8%	0.0%

Table 2: Percentage of Planning Enforcement site visits undertaken within target response times

Third Quarter 2014/2015 % of Site Visits undertaken within target

	Total Site Visits	Total Site Visits Meeting Target	Total %	Immediate %	High %	Standard %	Low %
Barnsbury	16	16	100.0%	0.0%	100.0%	100.0%	0.0%
Bunhill	7	7	100.0%	0.0%	0.0%	100.0%	0.0%
Caledonian	12	12	100.0%	0.0%	100.0%	100.0%	0.0%
Canonbury	1	1	100.0%	0.0%	0.0%	100.0%	0.0%
Clerkenwell	10	10	100.0%	0.0%	100.0%	100.0%	0.0%
Finsbury Park	14	14	100.0%	0.0%	100.0%	100.0%	0.0%
Highbury East	12	12	100.0%	0.0%	0.0%	100.0%	0.0%
Highbury West	7	7	100.0%	0.0%	0.0%	100.0%	0.0%
Hillrise	8	8	100.0%	0.0%	0.0%	100.0%	0.0%
Holloway	6	6	100.0%	0.0%	0.0%	100.0%	0.0%
Junction	8	8	100.0%	0.0%	100.0%	100.0%	0.0%
Mildmay	8	8	100.0%	0.0%	100.0%	100.0%	100.0%
St Georges	5	5	100.0%	0.0%	0.0%	100.0%	0.0%
St Marys	19	18	94.7%	0.0%	100.0%	93.8%	0.0%
St Peters	13	13	100.0%	0.0%	100.0%	100.0%	0.0%
Tollington	5	5	100.0%	0.0%	0.0%	100.0%	0.0%
TOTAL	151	150	99.3%	0.0%	100.0%	99.3%	100.0%

Table 2: Percentage of Planning Enforcement site visits undertaken within target response times

Fourth Quarter 2014/2015 % of Site Visits undertaken within target

	Total Site Visits	Total Site Visits Meeting Target	Total %	Immediate %	High %	Standard %	Low %
Barnsbury	6	6	100%	N/A	N/A	100%	100%
Bunhill	17	17	100%	N/A	100%	100%	100%
Caledonian	11	11	100%	N/A	100%	100%	100%
Canonbury	3	3	100%	N/A	N/A	100%	N/A
Clerkenwell	11	11	100%	N/A	100%	100%	N/A
Finsbury Park	11	11	100%	N/A	100%	100%	N/A
Highbury East	18	18	100%	N/A	100%	100%	N/A
Highbury West	7	7	100%	N/A	N/A	100%	N/A
Hillrise	3	3	100%	N/A	N/A	100%	N/A
Holloway	5	5	100%	N/A	N/A	100%	N/A
Junction	13	13	100%	N/A	100%	100%	N/A
Mildmay	5	5	100%	N/A	N/A	100%	N/A
St Georges	4	3	100%	N/A	100%	67%	N/A
St Marys	11	11	100%	100.0%	100%	100%	N/A
St Peters	8	8	100%	N/A	100%	100%	N/A
Tollington	7	7	100%	N/A	N/A	100%	N/A
TOTAL	140	139	100%	100.0%	100%	99%	100.0%

Table 2: Percentage of Planning Enforcement site visits undertaken within target response times

Appendix 2

Investigations Concluded

The table below reflects the total of new planning enforcement investigations concluded, grouped by Ward and priority category.

First Quarter 2014/2015 Investigations concluded

	Immediate	High	Standard	Low	Total
Barnsbury	1	1	8	0	10
Bunhill	0	1	6	0	7
Caledonian	0	3	11	0	14
Canonbury	0	3	12	0	15
Clerkenwell	0	2	6	0	8
Finsbury Park	0	0	8	0	8
Highbury East	1	3	4	1	9
Highbury West	0	1	12	0	13
Hillrise	0	0	5	0	5
Holloway	1	3	2	0	6
Junction	0	0	8	0	8
Mildmay	0	0	8	0	8
St Georges	0	2	10	0	12
St Marys	0	9	22	0	31
St Peters	1	1	8	1	11
Tollington	0	0	6	0	6
TOTAL	4	29	136	2	171

Table 3: Planning Enforcement cases closed, sorted by Ward and Priority category

Second Quarter 2014/2015 Investigations concluded

	Immediate	High	Standard	Low	Total
Barnsbury	0	2	16	0	18
Bunhill	0	2	16	0	18
Caledonian	0	3	21	0	24
Canonbury	0	2	9	0	11
Clerkenwell	0	1	12	0	13
Finsbury Park	0	1	11	0	12
Highbury East	0	4	10	0	14
Highbury West	0	2	11	0	13
Hillrise	0	1	13	0	14
Holloway	0	1	14	0	15
Junction	1	2	14	0	17
Mildmay	0	1	17	0	18
St Georges	0	0	13	0	13
St Marys	1	4	21	0	26
St Peters	1	2	15	0	18
Tollington	0	2	4	0	6
TOTAL	3	30	217	0	250

Table 3: Planning Enforcement cases closed, sorted by Ward and Priority category

Third Quarter 2014/2015 Investigations concluded

	Immediate	High	Standard	Low	Total
Barnsbury	0	1	10	0	11
Bunhill	0	2	8	0	10
Caledonian	0	1	10	0	11
Canonbury	1	0	4	0	5
Clerkenwell	0	0	5	0	5
Finsbury Park	0	2	7	0	9
Highbury East	0	1	12	0	13
Highbury West	0	2	9	0	11
Hillrise	0	1	8	0	9
Holloway	0	0	2	0	2
Junction	0	2	4	0	6
Mildmay	0	1	7	0	8
St Georges	0	1	9	0	10
St Marys	0	5	22	0	27
St Peters	0	1	9	0	10
Tollington	0	0	9	0	9
TOTAL	1	20	135	0	156

Table 3: Planning Enforcement cases closed, sorted by Ward and Priority category

Fourth Quarter 2014/2015 Investigations concluded

	Immediate	High	Standard	Low	Total
Barnsbury	0	4	14	0	18
Bunhill	1	2	13	1	17
Caledonian	0	1	12	1	14
Canonbury	0	1	6	0	7
Clerkenwell	0	3	8	0	11
Finsbury Park	0	1	7	0	8
Highbury East	0	1	17	0	18
Highbury West	0	1	13	0	14
Hillrise	0	0	4	0	4
Holloway	0	3	13	0	16
Junction	0	0	14	0	14
Mildmay	0	1	9	1	11
St Georges	0	0	10	0	10
St Marys	2	3	21	0	26
St Peters	0	3	16	0	19
Tollington	0	1	13	0	14
TOTAL	3	25	190	3	221

Table 3: Planning Enforcement cases closed, sorted by Ward and Priority category

Appendix 3

Notices Issued

Notices Issued between 1 April 2014 and 30 June 2014

Enforcement Notices: 6
Listed Building Enforcement Notices: 3
Planning Contravention Notices: 1
Breach of Conditions Notices: 0
Stop Notices: 0
Section 215 (Untidy Land): 0

Notices Issued between 1 July 2014 and 30 September 2014

Enforcement Notices: 13
Listed Building Enforcement Notices: 3
Planning Contravention Notices: 5
Breach of Conditions Notices: 1
Stop Notices: 0
Section 215 (Untidy Land): 0

Notices Issued between 1 October 2014 and 31 December 2014

Enforcement Notices: 14
Listed Building Enforcement Notices: 1
Planning Contravention Notices: 0
Breach of Conditions Notices: 6
Stop Notices: 0
Section 215 (Untidy Land): 0

Notices Issued between 1 January 2015 and 31 March 2015

Enforcement Notices: 6
Listed Building Enforcement Notices: 1
Planning Contravention Notices: 0
Breach of Conditions Notices: 0
Stop Notices: 0
Section 215 (Untidy Land): 0

Appendix 4

Appeal performance: (Previously BVPI 204) – First, second, third and fourth quarters 2014-15

The following table reflects the percentage of planning appeal decisions allowed against the Authority's decision to refuse planning permission. The numbers in brackets reflect the actual number of appeals allowed, against the total number of appeals. These figures do not include appeals relating to listed buildings, enforcement notices, advertisements or applications for Certificates of Lawfulness.

First Quarter 2014/2015

Total	59.1% (13/22)
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Table 1: Appeals against refusal of planning permission allowed

Second Quarter 2014/2015

Total	50.0% (10 / 20)
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Table 1: Appeals against refusal of planning permission allowed

Third Quarter 2014/2015

Total	29.2% (7 / 24)
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Table 1: Appeals against refusal of planning permission allowed

Fourth Quarter 2014/2015

Total	44.1% (15 / 34)
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Table 1: Appeals against refusal of planning permission allowed

All Applications and Enforcement Appeals performance

The table below reflects the percentage of all appeals allowed against the Authority's decision to refuse permission **or** issue an enforcement notice. The numbers in brackets reflect the actual number of appeals allowed, against the total number of appeals. The figures include appeals against refusals of consent relating listed buildings, advertisements and Certificates of Lawfulness and enforcement appeals.

First Quarter 2014/2015

	All Applications	Enforcement
Total	56.3% (18/32)	0% (0/6)

Table 2: All appeals allowed against refusal of permission or issue of enforcement notice

Second Quarter 2014/2015

	All Applications	Enforcement
Total	50.0% (15 / 30)	0% (0 / 0)

Table 2: All appeals allowed against refusal of permission or issue of enforcement notice

Third Quarter 2014/2015

	All Applications	Enforcement
Total	27.3% (9 / 33)	0% (0 / 1)

Table 2: All appeals allowed against refusal of permission or issue of enforcement notice

Fourth Quarter 2014/2015

	All Applications	Enforcement
Total	40.5% (17 / 42)	0% (0 / 1)

Table 2: All appeals allowed against refusal of permission or issue of enforcement notice

Appendix 5

Appeal Costs by Quarter

Appellants' Costs Applications Decided First Quarter 2014/2015

Total Number of Costs Applications by Appellants Decided	Costs Applications Refused	Costs Awarded	Partial Costs Awarded
3	100% (3/3)	0% (0/3)	0% (0/3)

Table : All costs applications made by appellants decided in First Quarter 2014/2015

Cost Applications refused were in relation to the following addresses:

- 1- 63 Seven Sisters Road, London N7 6BH;
- 2- 6 Theberton Street, London N1 4AB
- 3- 102 Cloudesley Road, London N1 0EB

Council's Costs Applications Decided First Quarter 2014/2015

Total Number of Costs Applications by Council Decided	Costs Applications Refused	Costs Awarded	Partial Costs Awarded
2	50% (1/2)	0% (0/2)	50%(1/2)

Table : All costs applications made by the council decided in First Quarter 2014/2015

Commentary:

Partial Award was made against the Council in relation to **59 Mercers Road, London N19 4PS**. The Panning Inspector found that the Council behaved unreasonably having not taken into account the Ministerial Written Statements of November 2014 and especially that of March 2015 which superseded the Council's own policies in respect of financial contributions for schemes of less than ten dwellings.

Council's costs application refused were in relation to:

- 1- 6 Theberton Street, London N1 4AB

Appellants' Costs Applications Decided Second Quarter 2014/2015

Total Number of Costs Applications by Appellants Decided	Costs Applications Refused	Full Costs Awarded	Partial Costs Awarded
2	50% (1 / 2)	50% (1 / 2)	-

Table : All costs applications made by appellants decided in Second Quarter 2014/2015

Commentary:

Full cost award against the Council was in relation to the refusal to approve details required by a condition relating to **110-116 Elmore Street**. The Planning Inspector found that the Council behaved unreasonable by failing to assess the submitted details against the specific condition which was imposed and by refusing to approve the details for a reason that is unrelated to the condition.

Appellant's costs application refused: 11 Goodwin street, London N4 5RQ

**Council's Costs Applications Decided
Second Quarter 2014/2015**

Total Number of Costs Applications by Council Decided	Costs Applications Refused	Full Costs Awarded	Partial Costs Awarded
0	-	-	-

Table : All costs applications made by the council decided in Second Quarter 2014/2015

**Appellants' Costs Applications Decided
Third Quarter 2014/2015**

Total Number of Costs Applications by Appellants Decided	Costs Applications Refused	Costs Awarded	Partial Costs Awarded
3	100% (3 / 3)	-	-

Table : All costs applications made by appellants decided in Third Quarter 2014/2015

Appellant's costs application refused:

1. 27 Melgund Road, London N5 1PT;
2. Galatix House, London N5 1PT;
3. Flat A, 31a Medina Road, N7 7LA

**Council's Costs Applications Decided
Third Quarter 2014/2015**

Total Number of Costs Applications by Council Decided	Costs Applications Refused	Costs Awarded	Partial Costs Awarded
1	100% (1 / 1)	-	-

Table : All costs applications made by the council decided in Third Quarter 2014/2015

Council's cost application made:

Land to the rear of 111-112 Axminster Road, London N7 6BT

**Appellants' Costs Applications Decided
Fourth Quarter 2014/2015**

Total Number of Costs Applications by Appellants Decided	Costs Applications Refused	Costs Awarded	Partial Costs Awarded
2	% (2 / 2)	-	-

Table : All costs applications made by appellants decided in Fourth Quarter 2014/2015.

**Council's Costs Applications Decided
Fourth Quarter 2014/2015**

Total Number of Costs Applications by Council Decided	Costs Applications Refused	Costs Awarded	Partial Costs Awarded
0	-	-	-

Table : All costs applications made by the council decided in Fourth Quarter 2014/20